DOCUMENT RESUME

ED 376 973 PS 022 819

AUTHOR Harvey, Edwin W.
TITLE Social Change and Family Policy in South Africa, 1930 to 1986.
INSTITUTION Human Sciences Research Council, Pretoria (South Africa).
REPORT NO HG/MF-2; ISBN-0-7969-1574-1
PUB DATE 94
NOTE 109p.
AVAILABLE FROM Human Sciences Research Council, 134 Pretorius Street, Pretoria 0002, South Africa.
PUB TYPE Reports - Research/Technical (143)

EDRS PRICE MF01/PC05 Plus Postage.
DESCRIPTORS *African Studies; Apartheid; Conflict; Day Care; Divorce; *Family (Sociological Unit); *Family Programs; Federal Legislation; Foreign Countries; Marriage; Policy Analysis; *Public Policy; Public Support; *Social Change; Social History; State Legislation; Welfare Services
IDENTIFIERS Family Support; *South Africa

ABSTRACT

Based on a relevant doctoral study with the same title, and covering the years from 1930 to 1986, this report analyzes the origin and development of family policy measures in South Africa against the background of sociopolitical and socioeconomic change. Its main focus is on the changes that family life has undergone over the years in South Africa and the implications of those changes for family policy, including changes in (1) political policy; (2) marriage and divorce measures; (3) child and family care; (4) social security and (5) political measures with an effect on family life. The original study involved the analysis of selected policy documents related to social change and family life. The first chapter of this report provides an orientation to the study, while the second chapter discusses the conceptualization of family and family policy. The third chapter reviews the development of family policy in South Africa between 1930 and 1983, divided by sociopolitical events as follows: 1930-1938, the Great Depression; 1939-1947, World War II and after the war; 1948-1982, the Apartheid era; and 1983-1986, a transitional period. The final chapter presents an overview of the findings regarding the family and family policy, and social changes and their implications for family life. In conclusion, the report suggests that despite recent criticism, the family is an institution that should be cherished and protected. Enlightened family policy, accompanied by thorough research, planning, and the involvement of all population groups in the policy-making process, can make a real contribution to the quality of marital and family life in South Africa. Contains approximately 90 references. (AA)

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Report HG/MF-2 1992, 1994

Social change and family policy in South Africa, 1930 to 1986

Edwin W. Harvey

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Social change and family policy in South Africa, 1930 to 1986

Edwin W. Harvey, D. Litt. et Phil.

Director: Family and Community Care

Department of National Health and Population Development

Co-operative Research Programme on Marriage and Family Life

The opinions expressed in this report are those of the author and should not necessarily be regarded as those of the Main Committee of the Co-operative Research Programme on Marriage and Family Life or those of the HSRC.

The 1994 version of the report is a translation of the original Afrikaans one which was released in 1992.

Afrikaans quotations in the text were translated, but attempts were made to remain as true to the original as possible.

Co-operative Research Programme on Marriage and Family Life
Publication Series: HG/MF

Series editor: 1992 - H.G. Strijdom (deceased)
1994 - S.A. Snyman

ISBN 0 7969 1574 1

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Printed and published by the HSRC
134 Pretorius Street
PRETORIA
0002

EKSERP

Die gesin word as een van die primêre instellings in die samelewing beskou, maar toon tekens van toenemende disorganisasie. Enersyds is gesinne aan sosiale verandering blootgestel en andersyds word die gesinslewe deur beleidsmaatreëls beïnvloed, hetsy ten goede of ten kwade.

In hierdie verslag word die gesin en gesinsbeleid gekonseptualiseer. Die volgende gesintipes word onderskei, naamlik die kerngesin, uitgebreide gesin, enkelouergesin, hersaamgestelde gesin en gewoonteregtelike gesin.

Gesinsbeleid word omskryf as daardie maatreëls en programme van die beleidmaker wat primêr gerig is op aspekte rakende die huwelik en die gesin, asook ander maatreëls en programme wat die gesin en gesinslewe beïnvloed.

Die volgende terreine word by gesinsbeleid ingesluit: Huweliks- en egskeidingsmaatreëls, kinder- en gesinsorg, bestaansbeveiliging en politieke maatreëls met 'n invloed op gesinslewe.

Die ontwikkeling van gesinsbeleid in terme van vier afgebakende tydperke wat strek van 1930 tot 1986 word ontleed. Daar word in die besonder gefokus op sosiale verandering, die stand van die gesinslewe en gesinsbeleidsimplikasies gedurende elk van hierdie tydperke.

'n Samevattende oorsig word gegee oor die invloed van sosiale verandering op gesinne, beleidsuitsprake oor die gesin asook bevindinge van die ondersoek. Daar is tot die slotsom geraak dat die gesin as instelling gekoester en beskerm moet word.

ABSTRACT

The family is considered one of the primary institutions of society, but is increasingly showing signs of disorganization. On the one hand families are subjected to social change and on the other hand family life is influenced by policy measures, either positively or negatively.

In this report the family and family policy are conceptualized. The following family types are distinguished, namely the core family, extended family, single-parent family, reconstructed family and the common law family.

Family policy is described as those measures and programmes of the policy maker directed primarily at all aspects concerning marriage and the family, as well as other measures and programmes affecting the family and family life.

The following areas are included in family policy: marriage and divorce measures, child and family care, social security and political measures with an effect on family life.

The development of family policy is analysed in terms of four periods from 1930 to 1986. The focus is in particular on social change, the state of family life and family policy implications during each of these periods.

The effect of social change on families, policy pronouncements on the family and the findings of the investigation are summarized. It is concluded that the family as an institution should be cherished and protected.

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CHAPTER 1: INTRODUCTORY ORIENTATION

1.1 BACKGROUND TO THE REPORT

Family policy in South Africa has, over the years, been reactively formulated against the background of social change and the changing family. A study of family policy and the influence it exerts on family life are regarded as being very important from an academic as well as a practice-oriented perspective, because of the role that the family plays in the life of the individual, the community and society.

This report is based on a doctoral study, *'n Sosiologiese studie van sosiale verandering met besondere verwysing na gesinsbeleid in Suid-Afrika, 1930-1986* (Harvey, 1988). Certain findings emerge from the study from which perspectives can be deduced, with implications for future family policy.

As far as this report is concerned, an introductory orientation will be given, the family and family policy will be conceptualized, after which the development of family policy in South Africa from 1930 to 1986 will be discussed. Finally, findings that emerge from the research project will be indicated and perspectives with implications for family policy will be discussed.

1.2 FOCUS OF THE REPORT

The change that family life has undergone over the years in South Africa, as well as the increasing family disintegration, has made family policy increasingly relevant. The changes on the political front, such as the coming to power of a new government, or on the socio-economic terrain, such as urbanization, industrialization and modernization, contribute to changes in the structure, roles and responsibilities of the family. As far as South Africa is concerned, political decisions and measures influence the family life of each of the population groups in different ways. It appears that the family life of the black group has been subject to more restrictions than the other groups. The country finds itself in a fluid political situation with implications for family life, such as the impact of the abolition of influx control.

Although there is no explicit family policy in South Africa, from statements made one can deduce that the government regards the family as an important institution. In a press release (Suid-Afrika, 1971:37) the Minister of Social Welfare and Pensions said, for example, that healthy families are the building blocks of a healthy and effective national structure. This pronouncement is not, however, echoed in policy measures - there are contradictions in the differential application of policy to the respective population groups. The government recently expressed concern about the state of family life. In 1982 the Cabinet appointed a task group to investigate family life in South Africa with a view to formulating a national family programme. The report that appeared in 1985 (Suid-Afrika, 1985) drew the conclusion that such a programme was critically important for promoting the quality of family life. The Cabinet approved the National Family Programme in 1987, and it charged the South African Welfare Council with its implementation.

The formulation of explicit family policy is an issue that enjoys increasing attention worldwide from bodies such as the Economic and Social Council of the United Nations (United Nations, 1985) and the Confederation of Family Organizations in the European Community [COFACE] (1986), as well as the public and private sectors in many countries. The issue is regarded as being so relevant that various international conferences have been held on it. In the international debate a broad range of family issues are receiving attention - such as the family and politics, and the desirability or otherwise of a prescriptive family policy.

As a result of the broad conceptualization of family policy, the distribution of family-related services between various government departments and the absence of an explicit family policy for South Africa, the following comprehensive description of family policy has been formulated:

> Family policy is defined as those measures and programmes by the policy makers which are primarily directed at the circumstances of marriage and the family or related factors, as well as other measures and programmes that explicitly influence the family and individuals in their role as family members.

With this definition as a basis, the area of study is delimited by focusing on the following elements of family policy:

- Political policy with implications for the family. Against the background of the effect of certain political measures on family life, this element is included in the discussion where applicable.
- Marriage and divorce measures, such as legislation and other measures that have a direct effect on marriage and family life. This theme is regarded as important since marriage and divorce laws are the primary measures that relate to marriage and the family.
- Child and family care, as encountered in the welfare sphere, are directly related to the functioning of marriage and the family. Within this field, measures are formulated that are directed chiefly at family life.
- Social security, including pensions and allowances for the family or members of the family and those constituents of housing that provide for the housing needs of a family.

1.3 THE RELEVANCE OF A STUDY OF FAMILY POLICY

Little research into family policy as such has so far been done in South Africa. Research on this subject is considered essential for the following reasons:

- A study of this nature could make a contribution to sociological knowledge of the family in its sociopolitical and socio-economic context. Social change and the family as an institution, as well as the relation of both to policy, are relevant areas of investigation in sociology.
- When one considers the importance of the family, as stated by government bodies, one can expect a study of the relationship between social change, the family and family policy to be relevant for society.
- A knowledge of the influence of social change and policy on family life can contribute to the formulation of informed policy. Planning and the formulation of policy are often not based on relevant research. This type of policy formulation may be regarded as uninformed, and is not necessarily in step with social change and the demands of the times.

1.4 OBJECTIVES OF THE STUDY

This study has the broad aim of analysing the origin and development of family policy measures against the background of sociopolitical and socio-economic change and the changes in family life in South Africa.

Family policy is analysed along the following lines:

- An analysis of the origin and development of family policy in South Africa in terms of policy principles, measures and structures, during particular periods from 1930 to 1986 against the background of social change and the changing family.
- An analysis of statements by the policy makers regarding the family and family policy.
- A critical examination of family policy in South Africa and its implications for the family.

Social change, which includes sociopolitical and socio-economic change, takes place across the broad spectrum of society and, in turn, it subjects political, economic, social, cultural and other institutions to change. Change is also reflected in demographic trends, such as in a decline or an increase in the birth rate and the mortality rate, migratory trends such as urbanization and changing values and norms. These changes have an effect on the dimensions of family life, such as family composition and size, role division in the family, and family cohesion. Of importance to this study are phenomena of social change that lead to change in family life, and which therefore influence family policy. In South Africa urbanization and industrialization, during the present century in particular, have left their mark on the family life of the population.

Family policy, which in itself also leads to changes in family life, forms the primary focus of this study. The influence of political policy and measures on the family is of particular importance, especially since the various groups in the same society are subject to different laws, policies and measures.

Government policy is often formulated in reaction to social change and it has a direct or indirect effect on family life. Political actions or policy in most spheres of social life, whether economic, social or political, are sometimes - from the point of view of the family - conflicting, and not necessarily beneficial to family life.

1.5 RESEARCH STRATEGY

The method that is followed in this study involves the analysis of selected policy documents related to social change and family life. For the purpose of analysis, the period 1930 to 1986 has been divided into four phases related to sociopolitical events in South Africa. These phases are not discrete entities, but are regarded as phases in a continuum.

The phases have been defined as the following for the purposes of this study:

- From 1930 to 1938. The time of the Great Depression bears the stamp of colonial rule which strongly influenced the sociopolitical climate. This period is characterized by the Great Depression in particular, large-scale poverty and the accelerated urbanization of certain groups. Families of all groups experienced serious poverty. During this time the general foundation of family policy measures was laid in South Africa.
- From 1939 to 1947. The war and postwar periods were characterized by accelerated industrialization, urbanization, the entry of more and more women and mothers to the labour market, and the rise of Afrikaner and black nationalism.

This period is regarded as a period of transition from colonial rule to the apartheid administration. Family policy trends which had been accepted during the previous period were developed further.

- From 1948 to 1982. The state administration was dominated by the government's policy of apartheid. The stamp of apartheid was impressed on every imaginable terrain. Family life, particularly that of black families, was also exposed to change. Family policy pronouncements were largely determined by the policy of apartheid.
- From 1983 to 1986. A transitional period, from the apartheid era to an as yet unknown dispensation, came into being, during which gradual reform and changing sociopolitical thinking has taken place, with increasing pressure from the oppressed group for greater political, social and economic change. There is no clarity, however, on the nature of the future political dispensation, and the period has not yet come to an end. The altered thinking is influencing family life and is leading to changing pronouncements and measures regarding family policy.

It would appear that, from Union to the present day (1992), racial segregation has formed the basis of national policy, a dimension that should always be kept in mind because of its influence on family policy. In the last of the above periods, a distinction is made between existing policy and policy investigations that are *sub judice* and important to this study.

An analysis of policy documents is regarded as the most appropriate method to approach this study material. Mayntz, Holm and Hoebner (1976:149) confirm this view in the following extract:

> Content analysis is moreover a research technique which can be used to study certain processes of change over long periods of time on the evidence of existing data.

It is not the purpose of this study to question or verify the facts of the policy documents. The findings, perceptions and pronouncements of the commissions of investigation, policy makers and other sources, particularly with regard to the state of family life and family policy, are the focus of this study and are linked to specific sociohistorical periods. They led to the formulation of policy which was valid for the policy makers at a particular time. In analysing the data an attempt is made to explain how family policy at a particular period developed, how it changed in time, and how families were influenced by it.

The following documentation was principally used in analysing policy documents relating to the development of family policy:

- Reports by official commissions of inquiry
- Reports by unofficial investigations of importance
- Research reports
- Policy documentation
- Statutes
- White papers
- The reports of relevant conferences and other publications.

The criteria that were applied in the choice of particular sources for the study were the following:

- The sources should be descriptive of the trends of social change attached to a particular period, especially with regard to sociopolitical and socio-economic circumstances and change.
- From the sources it should be possible to infer perceptions regarding the state of the population's marital and family life.
- The sources should contain explicit policy statements on the family, as well as information regarding the process of family policy determination and family policy measures.

Although, over the years, various investigations relating to this study have been undertaken from the viewpoint of both public and private interest, cognizance should be taken of investigations that are contrary to official policy, but which contribute to a broader perspective and which could even implicitly lead to a change in thinking regarding family life and family policy. Private institutions, such as welfare organizations, churches, research institutes, and pressure and interest groups, have also conducted investigations and arranged conferences that are relevant to this study, such as the two Carnegie investigations.

The source analysis is explained by selected interviews with interested persons.

1.6 THEORETICAL POINT OF DEPARTURE

Dahrendorf's (1959 and 1968) conflict theory was used as the theoretical point of departure for the study. His major premises can be summarized as follows:

Conflict: Conflict is complementary to stability, is omnipresent and necessary for the dynamics of a society. Coercive measures promote conflict. Conflict is caused by irreconcilable differences in objectives.

Social change: Social change is continuously taking place in all social institutions and is by nature exogenous or endogenous. Change can be evolutionary or revolutionary. As far as social change is concerned, the emphasis is mainly on sociopolitical and socio-economic change.

Power and authority: The causes of conflict are situated in the power structure in particular. Authority is linked to a position in a structure. Relations between domination and subjection in a power structure have the potential for conflict.

Class and social class: A social class is an interest group related to the power structures of institutions. Class conflict arises as a result of an imbalance between domination and submission.

Ruling and subordinate classes: In conflict group formation we can distinguish two opposing groups with conflicting orientations of interest. For the purposes of this study the governing class is defined as that group that has direct access to the policy maker - that is, the government. Where reference is made to the subordinate group, all the subjected groups collectively are included.

CHAPTER 2: CONCEPTUALIZATION OF FAMILY AND FAMILY POLICY

2.1 INTRODUCTION

When reference is made to the family, this includes marriage as an institution. These two institutions are not synonymous, but where marriage as such is under discussion, specific reference will be made to it. The family is generally regarded as the object of family policy.

In this study policy and policy measures are explicitly linked to the government as the policy maker and they are conceptualized on the macrolevel.

This discussion is based on the view that social policy is a component of general public policy and family policy is contained in social policy.

2.2 DEFINITION OF FAMILIES

Before the concept of "family" can be dealt with, a number of presuppositions need to be put forward.

- Family compositions change and pass through various stages of change. In this connection Gittens (1985:4) says:

  > Families are not only complex, but are also infinitely variable and in a constant state of flux as the individuals who compose them age, die, marry, reproduce and move ... Families vary by age, gender, class and marital status as well as by actual size of unit.

There is no "universal family". Family composition varies from society to society, while different configurations exist within a single society. Gittens (1985:70) argues that, although all societies have customs and rules with regard to choosing a mate, sexuality and relationships between the sexes and the different age groups, the content of the rules is specific and changeable in the cultural and historical context, and by no means universal. (See also Morgan (1985:61) in this connection.) Although changes in the structure of families are encountered

everywhere, the "family" is historically, culturally and ideologically specific to a particular society or group within a society.

The "family" has a political connotation and is closely linked to the sociopolitical framework of a particular society.

The existence of different family types is generally acknowledged. The Economic and Social Council (United Nations, 1985:17), for example, accepts a pluralistic approach which acknowledges and supports, in policy and programmes, the many and varied types of family in any society. Viljoen (1985:4) notes the existence of family configurations other than the core family and the extended family. The most notable are the reconstructed, double-core or single-parent families.

Moss and Sharpe (1980:143-144) consider that all family types should be taken into account in family policy.

Against this background families are defined as those family configurations that are acceptable according to the prevailing norms in a society. For the purposes of this study provision is made for the different family compositions in South African society, such as the core family, the extended family, single-parent family, reconstructed family and customary law family.

Where the text refers to "the family", therefore, "families" are implied.

2.3 THE SIGNIFICANCE OF FAMILIES

Urbanization and industrialization have, to a greater or lesser degree, subjected families to change, as can be seen in changing family roles, easier divorce, higher divorce and illegitimacy figures and the existence of a wider variety of family types and alternative family configurations than ever before. The meaning attached to the family in society has also changed. One school of thought considers the family the nucleus of society; should this nucleus be threatened, society is in danger of disintegrating. Another school considers that the family in its present composition has less importance and is over-emphasized. The policy makers' opinion (or absence of opinion) is moreover important, since this opinion determines family policy.

Families have largely adjusted to changing circumstances and, although there are signs of disintegration, the family as an institution still plays an important role in the life of the individual and in the context of the community.

A view of which cognizance should be taken, especially with regard to a Third World society, is that of the Economic and Social Council (United Nations 1985:15). From the point of view of survival, the family as an institution, particularly among the poor, is a survival mechanism for dealing with economic hardship. The core family and the extended family are both regarded as being central to the struggle for survival. In this connection family functionality should be seen as part of the government's responsibility towards the welfare of its people, or neither the family nor the individual can survive. As will be seen, this viewpoint has been applied to the black family in the homelands at certain times, but without the necessary support network.

Although the meaning of family life may be different for different people, it is clear from the above that the family still plays a decisive role and there are those who argue that it should be acknowledged, protected and strengthened as a societal institution. One of the conclusions arrived at during an international conference on family policy (Aldous & Dumon, 1980:57) was that not one of the participating countries doubted the irreplaceability of the core family. The core family was accepted as the fundamental institution, but the existence of other types of families was acknowledged. For that reason it gives rise to concern that a large number of families disintegrate under the pressure of change, with lasting damage to the individual, the family and the community. This finding is important since it can give direction to family policy.

Since child-care forms an important dimension of family policy, the meaning of families in the lives of children will be given attention. Moss and Sharpe (1980:139) emphasize the importance of the family when they say "... it remains the central institution for the economic support, housing, nurture, care and socializing of children". The value of the family in the education of the child is stressed here. In the relevant South African literature marriage and the family are emphasized as being important institutions in society (Auret, 1971:1; Grobbelaar, 1982:6; Steyn, Van Wyk & Le Roux, 1987:324).

The conclusion is that families in all their dimensions and forms still make an important contribution to the education, care, socialization and security of the individual - and the child in particular - as well as in keeping society intact. This statement is regarded as a significant factor in judging family policy, in the sense that one should determine the extent to which family policy protects families.

2.4 THE FAMILY AS THE TARGET OF FAMILY POLICY

In this section the focus is on the family in the context of social change and the political situation.

2.4.1 The family and social change

There is a close relationship between change in the family as an institution and changes in other societal institutions in the same milieu. A variety of family types have arisen as a result of changed values and norms, westernization, secularization, urbanization and other phenomena of social change. Change in family life should not be regarded as necessarily disintegrative or pathological, since changes in outmoded customs sometimes benefit the individual members and the family itself.

There is a danger that the family may be associated with only certain specific functions and, should these functions change, the family framework could be mistakenly regarded as pathological. The roles of the man and the woman in the family, for example, have changed dramatically, without this having led to family disintegration. The dynamic nature of the family does not allow it to become subjected to universal functions, but renders it adaptable to the demands and needs of the times.

In South Africa industrialization and urbanization have hastened the process of social change. The traditional self-supporting rural lifestyle has largely been replaced by an urbanized Western one, especially as far as the white, coloured and Indian population groups are concerned. The abolition of influx control can be expected to lead to increasing urbanization of the black group after decades of resistance to this process. The blacks are at various stages of rural, industrial and urban development. Social change appears to influence the family

life of the various population groups differently. Viljoen and Le Roux (1984:3) state that one cannot draw a clear distinction between the rural and the urban black population because of closer interaction between them on various terrains.

Many years ago Cilliers (1960:71) said that no solution could be found to the problems of family life by focusing on family life alone and even less could one attempt to force family life, in its character and essence, back to what it was before the current economic dispensation. Change in the surrounding social and societal structures necessarily places demands on family life and leads to change in and the adaptation of the family.

2.4.2 The family in political context

When government intervention or involvement in the family is evaluated, the view of Gittens (1985:136) should be taken into account:

> It cannot be assumed that a law supposedly directed at the family will affect all families identically or, indeed, all individuals within a family. What may enhance security and solidarity for one family may also undermine it in another. In fact, very little legislation has been addressed at families as such, but rather relates to different categories of individuals within families - for example, children, married women, divorced women, and so on.

The above statement is directly applicable to South African society. The same measures have differing influences on individuals and families, especially where there is statutory differentiation between the different population groups.

Moss and Sharpe (1980:139-140) distinguish between two points of view regarding government intervention, which relate to both conservative and liberal approaches. One school of thought emphasizes the private nature of family life with minimal interference by the government. The other advocates more positive and purposeful government intervention with regard to family needs, in order to strengthen family life.

The factual position is that the system of government, with all its structures, is inextricably tied to all facets of marriage and family life. The

government has a responsibility to the family, albeit a qualified responsibility. This view is also held by Kamerman and Kahn (1979:506):

> [F]amily life remains an appropriate area of concern for government, if only because virtually all governmental actions affect families - indirectly if not directly. Therefore, the critical issue is not whether we should have family policy, but what kind of family policy to have.

The family and the government, each with a unique character, in many respects form an integrated system. Both contribute to the care and socialization of the individual and exert a mutual influence on each other. One comes to the conclusion that the degree to which legislation interferes with or involves the family determines the explicit or implicit nature of family policy.

In South Africa, in particular, the class phenomenon is very closely related to social stratification on a racial basis, as laid down in national policy. The system of stratification in South Africa is, according to Lever (1978:35), maintained partly by legislation and partly by tradition and custom. The class in which families find themselves has a determinative effect on the whole spectrum of family concerns, such as marriage contracts, residential areas and housing.

In terms of Dahrendorf's (1959 and 1968) concept of social class, families find themselves in certain social classes, the most significant of which are the ruling and subordinate classes. From the viewpoint of family policy, the families of the governing class have been exposed to fewer limitations while the families of the subordinate class - the black group in particular - have been subjected to many limitations for decades. A further implication has been that the ruling group has largely determined family policy and it has forced its ruling-class norms on the subordinate class, which has led to radical change in the latter's family life.

2.5 FAMILY POLICY

In the context of social policy, the place of family policy has been described as follows by the Economic and Social Council (United Nations, 1985:18):

> ... that national family policies focusing on families as units should be established within the context of broader social policies, including policies related to population, social welfare, labour, housing, social security,

> health and nutrition, agriculture, agrarian reform, urbanization, industrialization and rural development.

Although social policy is widely interpreted in the above quotation, it nevertheless seems that family policy is established within the context of social policy.

All the phases and facets of marital and family life are affected by legislation or policy stipulations. Marriage contracts, the dissolution of a marriage, the physical health of members of a family, the education of children, the careers of the man and wife, social security, family housing, deviant behaviour and problems of adjustment within a family are all subject to some or other form of policy or pronouncements on policy.

It has already been argued that families cannot be approached outside the sociopolitical context. As a result, actions by the ruling group can lead to conflict between the ruling and the subordinate groups, which can affect the family life of the subordinate group in particular. Contract labour and influx control, for example, which benefit political and economic interests, exert a detrimental influence on the marital and family life of the black group.

2.5.1 Definition of family policy

In the definition of family policy the question of whether an explicit family policy exists should be raised. Among other things, one needs to determine whether the argument that Lourie (1977:3) advances regarding family policy in America can be made applicable to South Africa as well:

> Because America has no official, conscious, clear policy toward families does not mean that we have no family policy. It only means we have poor family policy or policies by default - too often unexamined, unarticulated, unintentional, and unquestioned: policy that often defeats its purpose; that creates human service programs designed to meet real needs but which, in terms of family values, often achieves a triumph of technique over purpose.

Ideally, family policy should be founded on a definition of the family which includes the accepted family norms in the society in question, and which prevents conflicting policy measures from being accepted.

Families and family members are affected not only by explicit policy, but by policy in the political, economic and social spheres. As far as this investigation is concerned, family policy is defined in a broader context.

Family policy is defined as those measures and programmes developed by the policy makers that are aimed primarily at the circumstances surrounding or factors concerning marriage and the family, as well as other measures and programmes which influence the family and people in their roles as family members, explicitly or implicitly.

Further to Lourie's argument regarding family policy in the USA and in terms of the definition of family policy, one can conclude that South Africa has no national family policy, but that it has a family policy which can be inferred from those measures and programmes to which reference is made in the definition given above.

2.5.2 Delimitation of family policy spheres

From the definition of family policy it can be argued that family policy does not fall only within the sphere of a single discipline or profession. A multi-disciplinary and multiprofessional approach is required. The following professions are closely concerned with the family and, as a result, also with family policy: sociology, social work, psychology, education, theology, health, law, economics and anthropology.

In a narrower context, family policy includes the following spheres: marriage and divorce measures, child and family care, social security, health care and family planning. The primary focus of this study is on the following areas, in terms of which the development of family policy in this study will be analysed.

2.5.2.1 Marriage and divorce measures

Marriage and divorce measures are regarded as the core of family policy since they constitute the foundation of marriage and the family, and the basis for the dissolution of a marriage or of a family.

2.5.2.2 Child and family care

Child and family care, as a component of social welfare, is aimed primarily at handling problems in marriages and families. As such, it forms part of family policy.

Child and family care is regulated by legislation for children, while there are clear similarities between the work done by the policy makers and the voluntary welfare initiative, especially regarding child and family welfare services.

2.5.2.3 Social security

To survive at all, families require the necessities of life and shelter. Social security measures are mainly enshrined in legislation and are directed at individuals and families who cannot maintain a minimum subsistence level on their own. These measures consist of pensions and allowances to minor children, single parents and destitute families.

Housing is another facet of social security. Over the years housing policy, especially that affecting the lower income groups, has exerted a great influence on family life.

2.5.2.4 Political policy trends with implications for the family

In defining family policy, reference has been made to other measures and programmes that influence the family. As far as this study is concerned, political policy trends have the greatest implications for the family or for members of the family.

2.6 FAMILY POLICY IN THE SOUTH AFRICAN CONTEXT

Against the background of the definition of the family and family policy, attention will now be focused on family policy in the South African context. This discussion is aimed at the application of the theoretical concepts, particularly "family" and "family policy", in South Africa, with a view to spelling out the methodology for analysing family policy in this study.

The basis of the government's view of the family can be traced back to the Constitution of the Union which made segregation between population groups the point of departure within the colonial context.

With the whites as the dominant group and the other groups as subordinate, a tendency developed in which a strong differentiation was made between the families of the respective groups, rather than allowing for the spectrum of family configurations such as indicated in the definition of families. As far as the whites were concerned, the sanctity and indissolubility of marriage was paramount (Albertyn & Rothman, 1932:43). The place of the family in community and societal context - for the governing class - was rated highly. The traditional Western view of the family as a basic institution was reserved primarily for whites, while the same viewpoint was not valid for the other groups - in any event not as reflected in policy statements and measures.

The traditional family configuration had great significance for the black community. Most blacks married in accordance with their indigenous laws (Simons, 1968:75). From the viewpoint of the ruling group customary marriage was not completely acceptable and, in terms of the Black Administration Act 38 of 1927, it was regarded as inferior to common-law marriage. This statutory measure can be regarded as an explicit statement on family policy arising from political policy. Through this policy, the ruling group did not fully acknowledge the significance that the traditional family configuration had for the black group.

In this connection the policy was that the best interests of the blacks, especially the women and children, lay in the reserves. In the urban areas family housing was discouraged by statutory limitations and economic measures. The high value attached to the maintenance of the white family was evidently not attached to black family life.

As far as the coloured people were concerned, a set of values unlike those applicable to either white or black family life was in force, as was evidenced by a distinctive type of family life. The Wilcocks Commission (Suid-Afrika, 1937:17) typified the coloured community as having three classes, which were also reflected in family life. A large proportion of coloureds lived together, especially those in the lower socio-economic group (Suid-Afrika, 1937:21). The coloureds' approach to family life can also be traced back to large-scale

community poverty and poor housing. Although the authorities acknowledged that general living conditions were unfavourable, little was done to improve them (Suid-Afrika, 1940:20). There was no explicit policy for improving the family life of the groups in need.

The Indian community in South Africa was not regarded as an indigenous group. With its distinctive Eastern culture, religions, and marriage and family customs the Indian community comprises a relatively small part of the population. Its family life has therefore not come into the political spotlight as much as that of the other groups. According to Ramphal (1979:74) the Indian group is characterized by close family bonds, while the extended or communal family system is of a traditional nature. With regard to policy, little recognition has been given to the extended family of the Indian community as can, for example, be seen in the provision of core housing by the government.

From the above discussion it would seem that various value systems underpin family configurations and the respective groups attach different significance to the family.

CHAPTER 3: THE DEVELOPMENT OF FAMILY POLICY IN SOUTH AFRICA BETWEEN 1930 AND 1986

3.1 FROM 1930 TO 1938: THE GREAT DEPRESSION

3.1.1 Introduction

In South Africa the nineteen thirties were characterized by various related socio-economic phenomena that led to large-scale social change. These phenomena included the depression, droughts, community poverty and accelerated urbanization, and should be seen against the political background of the time. This period is characterized by comprehensive investigations into the socio-economic circumstances of the black, white and coloured population groups, which form the basis of this study. From the outset, the policy of segregation gave rise to a dualistic family policy, especially for the white and black groups.

The main reason for discussing this period first is that social policy was formulated and measures implemented which can be regarded as the foundation for the development of social and family policy to the present day.

The following documents were identified with regard to this period:

Die Ondersoek na die Ekonomiese Naturellevraagstuk, 1930 tot 1932

Die Ondersoek na die Armblankevraagstuk in Suid-Afrika, 1932

The Indian Colonization Enquiry, 1934

Die Ondersoek na Behoeftige, Verwaarloosde, Onaanpasbare en Misdadige Kinders en Jongmense, 1934 tot 1937

Die Ondersoek na die Maatskaplike en Ekonomiese Omstandighede van die Kleurlingbevolking, 1937.

3.1.2 Social change during this period

The thirties were characterized by large-scale social change that had a profound influence on the family life of the population. Social change led to pronouncements and actions that contributed to the development of family policy. The two main dimensions of social change that can be distinguished are sociopolitical change and socio-economic change. Although these dimensions are discussed separately, they are interdependent.

3.1.2.1 Sociopolitical change

South Africa in the thirties should be viewed against a colonial background, the Boer War, the formation of the Union in 1910, two depressions and the First World War. The Cape Colony and subsequently South Africa were developed for the exclusive benefit of England and, according to Le Roux (1978:66), a classic dependency pattern arose - a metropolis-satellite relationship. In the early years of the century South Africa was politically and economically dependent on England. Of primary interest in the development of the future racial policy and, by implication, family policy, was the report by the Native Affairs Commission that appeared in 1905, in which territorial segregation and political division between black and white was proposed, and the establishment of residential areas for urban blacks approved (Spies, 1986:224). Despite opposition from the black and coloured interest groups, especially in the urban areas, this report became policy, a policy that has formed the basis of South African politics to the present day.

Although most blacks lived in the rural areas, and had no active interest in the politics of the governing group, there were peripheral groups in the cities who increasingly made their voices heard. The feelings of certain urban black interest groups after Union are reflected in the following statement by Jabavu (1920:244):

> Whatever else has held good heretofore, the time has gone past when the Bantu of this Union can be treated as children, however uneven be their development in the mass. They have vivid recollections of how their political rights were bargained away in the pacification of Vereeniging (1902). They reckon that the Union Act of 1910 unites only the white races, and that (as) against the blacks, for the colour bar clause struck the death knell of Native confidence in what used to be called British fair play.

Race relations were at the heart of policy directions in that period. Referring to race, Spies (1986:221) wrote that colour formed a fundamental division that extended past group and class differences. Both the Afrikaner and the English viewpoint was that South Africa was "a white man's country". This statement is crucially important, because it typifies the view held by the white governing

group for decades to come (see also Lever, 1978:266 and Rhoodie, 1966:43). Preference for white interests was also reflected in practice, as in the handling of the poverty in the white community while similar conditions prevailed in the black and coloured communities. MacPherson's (1982:37) view on the colonial approach is also relevant here:

> The most important feature of colonial society, and crucial to the patterns of social policy in contemporary Third World countries, was that virtually all the activity of colonial administrations was directed by, and in the interests of, foreigners. For the most part the foreigners were European.

In summary, it is evident that the white ruling class had the political power that was enshrined in legislation from the time of the Union. All the other groups were in a politically subordinate position. In the white political context, the Afrikaner's position of power became stronger, which increasingly influenced the political situation.

3.1.2.2 Socio-economic change

Socio-economic change during the first part of the century should be seen mainly against the background of urbanization, modernization, large-scale poverty and the depression.

As far as whites were concerned, there was increasing urbanization away from the farms. The main reason given for the migration of the rural poor to the towns and cities was the incentive of an improvement in their living conditions. The push factor is described in the following extract from the joint findings and recommendations of the Carnegie Commission (Carnegiekommissie, 1932:xxi-xxii):

> Die ongustige ekonomiese toestand van die besitlose landelike blanke maak dan ook in 'n hoë mate die kern van die vraagstuk uit ... In elk geval is die vlug van die platteland 'n ernstige aanduiding van sosiale en ekonomiese wantoestande in die Suid-Afrikaanse boerdery en boerelewe.
>
> [The adverse economic circumstances of the penniless rural whites thus to a large extent forms the crux of the question.... In any event, the flight from the rural areas is a severe

indication of unfavourable social and economic conditions in South African agriculture and farm life.] (Author's translation)

Urbanization and poverty were not limited to the whites. The urbanization of blacks gradually increased as rural conditions worsened. From an investigation of the native economic problem it seems that younger black people, in particular, migrated to the cities (Suid-Afrika, 1932:9, 62 & 67). Both men and women left their families and found refuge in the cities. Tribal ties were broken and parents lost control of their children. According to Dahrendorf, the black group became increasingly subordinate to the governing group. The push and pull factors experienced by the whites and the blacks also played a role in the lifestyle of the coloured group. Here urbanization should be seen against the background of the industrialization and mechanization that was taking place on farms, as well as the economic decline of the white rural population. The following extract from an investigation into the coloured population indicates that the accelerated departure of impoverished whites had negative consequences for the coloured farm worker and his family (Suid-Afrika, 1937:35):

> Die agteruitgang van die ekonomiese posisie aan die kant van groepe van die blanke boerebevolking het ongunstige gevolge vir die lone en algemene lewenstoestande van die plaasarbeider onder die Kaapse Kleurlinge gehad.
>
> [The economic decline of groups of the white farming population had negative consequences for the wages and general living conditions of the Cape coloured farm labourer.] (Author's translation)

The Indian Colonization Enquiry Committee (South Africa, 1934:13 & 14) concluded that there had been a continuous migration of the younger generation to the urban areas. English was the main language spoken, and although the migrants retained their religion, they became largely westernized. The older group lived mainly on farms or they settled on plots, while most of the children migrated to the cities.

The phenomena of urbanization, industrialization and poverty had a marked influence on all the population groups of the country. Large numbers of people were involved in the process of urbanization. Although the cities offered

many a home, these people had first to experience a process of dislocation and adjustment. A new lifestyle emerged for the respective groups in the urban situation. The whites had more advanced interest groups and institutions at their disposal which, together with their political supremacy, enabled them steadily to improve their circumstances, while the poverty and subservience of the coloured and black groups in particular persisted.

3.1.3 The state of family life

The family was closely affected by the process of social change. Change within any sphere of life, whether political, social or economic, contributes to change in family life.

Family life for the South African population in the thirties, which is the first period of this study, was closely associated with the political dispensation at the beginning of the century. South Africa's population was predominantly rural, with each group having a strongly traditional, characteristic family lifestyle. The political events that led to the South Africa Act (see also par. 3.3.1 of this chapter) laid the foundation for the policy of segregation that determined the policy makers' perception of the family. The governing group, with a colonial element, promoted the Western concept of the family. By means of legislation such as the Black Administration Act 38 of 1927, this ruling group discriminated against the indigenous marriage laws of the subordinate group (Suid-Afrika, 1986b:24). This practice continued through the years and had a significant effect on the family life of the subordinate group, in the sense that customary marriages were gradually replaced by common-law marriages and that the migrant labour system contributed to changes in family customs, particularly in the reserves.

The family in the black community was particularly closely affected by the political, social and economic realities of the time. Changes in these spheres inevitably led to changes in family life. Of special significance was the *lobola* system, described as follows by the Economics Native Commission (Ekonomiese Naturellekommissie) (Suid-Afrika, 1932:111):

> Die hele maatskaplike struktuur van die Abantu rus grootliks op lobolo [sic], aangesien dit 'n wesenlike bestanddeel is van hulle lewe; die maatskaplike lewe...

[The entire social structure of the Abantu hinges on *lobola*, since it is a fundamental component of their life; the social life ...] (Author's translation)

The social life of the families revolved around the *lobola*. Through that system the relationship between tribes was determined, by means of the marriages of captains and of their sons and daughters with people of similar status from other tribes. In the same community it bound different family groups closer together. The tribe consisted of a large family with an organized community of families, and marriage was exogamous.

From this description it is clear that *lobola*, as a tradition, influenced the lives of the individual, the family, the tribe, the community and the population. In a traditional society it exerted an influence that extended far wider than marriage and the family. *Lobola* was a cohesive factor that has been gradually eroded by social change.

Increased contact with Western civilization gave rise to gradual changes in customs, also within the context of the family. In this context the roles of husband and wife were changing, while in traditional society it was clearly defined. In urban areas, in particular, these roles systematically became westernized. With the decline in the influence of traditional lifestyles, parental and tribal authority became eroded. The report refers to the "de-tribalization" of the children (Suid-Afrika, 1932:9). The usual family structure of the rural areas was increasingly being replaced by core and extended families. The latter family structure was often the result of overcrowding.

The demographic family trends were typical of a society characterized by community poverty: a high birth rate and child mortality rate, undernourishment and malnutrition and exceptionally large families. More than half of the school population, according to the Carnegie Report, was from poor families. The mortality rate of mothers between the ages of 20 and 45 was higher in certain remote areas (Carnegiekommissie, 1932:xiv & xxiv-xxv; Albertyn & Rothman, 1932:203). From this one can deduce that family life was under severe strain. (As the socio-economic circumstances of this part of the population improved, the high birth and child mortality rates dropped and the family life of the whites, in time, stabilized.)

The inferior living conditions in which the poor whites found themselves were reflected especially in inadequate housing and impoverishment. According to the joint findings and recommendations of the Carnegie Commission (Carnegiekommissie, 1932:xviii) one-third of the dwellings were unfit for occupation, while another third were fairly reasonable, but too small for a healthy family life. It was found that poor housing had a negative influence on good order, virtue and morality in family life (Albertyn & Rothman, 1932:25-26).

The position of the family in community and social context was rated highly by the Volkskongres, and it occupied a central place in the search for solutions (Du Toit, 1934:22). This concern, on the part of even the policy makers, led to the survival of the white family as an institution, despite changes in structures, functions and values. But again, the significance attached to the family life of the whites was not accorded to the family life of the subordinate group.

The family life of coloureds was closely associated with their general living conditions. As an institution, the family also bore the brunt of community poverty and the process of social change in the thirties.

As far as marriage itself was concerned, many coloureds had *de facto* living-together relationships, especially among the so-called lower classes. From an investigation into the coloured population group it can be deduced that these relationships were often permanent and characterized by a sense of responsibility on the part of both mother and father towards their illegitimate children (Suid-Afrika, 1937:21). Between 30 % and 40 % of all births were apparently illegitimate. Unfavourable domestic circumstances were partly responsible for the high rate of illegitimacy since, according to the Wilcocks Commission, there was no separation between the sleeping quarters of parents and those of the children or other adults and adolescents of both sexes, which led to "uncommon" sexual relations (Suid-Afrika, 1937:21).

The socio-economic circumstances of the coloured community appear to have led to the development of marriage and family patterns that became characteristic of a part of this community, such as *de facto* marriages and a high incidence of illegitimate births. Should the core-family concept be applied to this

community, many of the *de facto* families accepted in this community would be excluded.

Conflict and problems arising in the family context tend to spread wider and lead, among other things, to clashes with the law and the community. Conflict formation in the community, such as that resulting from labour unrest, also leads to conflict in the family. It is clear that the quality of family life cannot improve in isolation. The need for a comprehensive socio-economic and sociopolitical upliftment programme, in all reaches of society, could have been set as an objective for the coloured population in the thirties.

The family life of the Indian community should be approached in terms of the extended family system. Meer (1969:134) used the terms *Kutum* and *Kudumbom* or *Kuduma* in this connection and defined them as follows:

> These terms define a kinship system of several core families hierarchically arranged by male seniority. The core units may be two or more generations deep, three being the usual pattern.

The extended family was characterized by strong immediate and extended family bonds. Even urbanization did not destroy this system. Although the report does not discuss the immediate family as such, the reference to the significance of the extended family is of importance here. Despite large-scale unemployment in the Indian community, the close-knit family bonds, involving a wider distribution of financial responsibilities among family members, had the effect of making the tensions and suffering that accompanied unemployment less noticeable than in the case of whites (South Africa, 1934:14).

In spite of the changes in family life that accompanied urbanization, westernization and poverty, no indications of large-scale child neglect or family disintegration in the Indian community could be found in the relevant literature. The family, with its changing format, apparently remained a protective factor in the community, with great value for the individual family member.

3.1.4 Implications for family policy

3.1.4.1 Policy principles

The government, as the dominant group, adopted the Western core family as its model of family life. Customary marriages were regarded as inferior to common-law marriages. Traditional black marriages were recognized to a limited extent. This approach, with its contradictions, was the basis of family and other policy for this period and those that followed. Although pronouncements were made about the importance of family life, the policy was that the black family belonged primarily in the reserves and should conduct its life there, and little was done to strengthen black family life.

Great emphasis was placed on preventive services within the family context. Other policy measures in, for example, the political and economic domains, prevented these basic principles from being applied to black family life. The black group was considered primitive rather than as another culture by the ruling group.

Although the basis for differential policy was established during this period, the policy did not always make provision for identified needs. At times "white" policy was applied to all groups, for example the Children's Act 31 of 1937, but at other times is was not, such as in the case of subsistence allowances for children.

Social welfare was considered the joint responsibility of the government, church and welfare community, while family care was the responsibility primarily of private welfare organizations. This principle was, however, valid mainly for whites, coloureds and Indians. In terms of welfare, family care and social security policy, the responsibility for the care of the black child rested primarily on the tribal system. In urban areas help was offered only as a final resort. The result was an inadequate family care and social security system.

3.1.4.2 Policy measures

The two most significant Acts with implications for family policy are the Black Administration Act 38 of 1927, which deals with black marriages, and the Children's Act 31 of 1937, which deals with child and family care for all groups.

Subsistence or maintenance allowances were made available for whites, coloureds and Indians to accommodate children in the family context, but reserves were developed to accommodate children in the tribal context. The allowances for whites were double those for the other groups. The emphasis on the traditional care of black children in tribal context was in sharp contrast with the pronouncement of the Economic Native Commission that the "mass of Natives" should be developed and civilized.

A contradiction or inconsistency in the formulation of the Children's Act 31 of 1937, was the fact that although the subordinate group did not fall within the brief of the committee, an Act developed primarily for Western conditions was being applied to all groups, albeit inconsistently.

As far as housing was concerned, a scheme for rural rehabilitation and housing was introduced for whites. Little was done to meet the housing needs of the other groups, even in terms of the Housing Act 35 of 1920 (Marais 1986:2). Restrictions were also placed on housing for black women and children from the reserves and rural areas, a measure that did not apply to the other groups.

3.1.4.3 Structures for implementation

The most important structure for implementation that was created, was the Department of Social Welfare which provided services to all the groups. Its services were aimed mainly at the white community. Family care services were provided by churches and white welfare organizations.

As far as the whites were concerned, a healthy foundation was laid for the development of family policy measures and structures. With the governing group's view that the interests of the black group lay in the reserves, that the Indian group was an exogenous group and that the coloureds should fend for themselves, policy was accepted that did not meet the needs of all the groups, especially in so far as marital and family life were concerned. The foundation was laid for a dualistic family policy, especially for the white and the black groups.

3.2 FROM 1939 TO 1947: WARTIME AND AFTER THE WAR

3.2.1 Introduction

Social change during this period was closely bound up with the war effort, urbanization, industrialization and the rise of Afrikaner and black nationalism. These phenomena left their mark on family life. This period may be considered the watershed between the colonial and the apartheid eras.

In the study material on this period, certain outstanding documents were identified in terms of the prescribed criteria. The most significant sources are the reports of the Conference on Postwar Planning of Social Welfare Work in 1944, the Inquiry into the Social, Health and Economic Conditions of the Urban Natives (South Africa, 1942) and the report by the Department of Social Welfare for the period 1 October 1937 to 31 March 1949 (South Africa, 1950).

3.2.2 Social change during this period

3.2.2.1 Sociopolitical change

Sociopolitical change during this period should be seen against the background of South Africa's involvement in the war. Within a relatively short time a war industry came into being. A greater need for manpower led to more rapid urbanization - which served the economic interests of the governing group in particular, and in a certain sense benefited the subordinate group, such as through the creation of more opportunities of employment. Urbanization was, however, uncontrolled, with negative effects for many incoming migrants. Stadler (1986:266) has the following to say in this connection:

> The movement from countryside to cities gathered momentum after 1939, stimulating and aggravating social and political conflicts, especially between black and whites exposed to the same process of change and imposing severe strains on the institutions of government.

Stadler (1986:265 & 266) claims, moreover, that the massive urbanization of black people and their families was the most controversial matter in postwar white politics. The political struggle of the black group began to intensify in industry as well as in community-based political movements.

During this period the government passed legislation that restricted the movements and settlement of black people. These measures had far-reaching political, economic and social implications, and they affected family life in particular, up until the nineteen eighties.

Rising black nationalism also came into conflict with awakening Afrikaner nationalism. (See Rhoodie & Venter, 1960:151-159.) Greater demands and claims were made by black people, demands that had previously been ignored. In reaction to the "black threat" the Afrikaners won the 1948 election, with their support of the National Party and its new apartheid policy. The political direction subsequently taken can be considered a continuation of the policy of segregation, which had an increasingly ideological base.

This period, which can be considered a period of transition to the apartheid era, was characterized by the war effort, accelerated urbanization and industrialization, changing white political views and rising Afrikaner and black nationalism.

3.2.2.2 Socio-economic change

Socio-economic change during this time was marked by sociopolitical change.

The urbanization of both whites and blacks increased during the war and the postwar period. In the report by the conference on postwar planning (Suid-Afrika, 1945:305-321) considerable space was devoted to this phenomenon. As far as the whites were concerned, the abandonment of the countryside could be attributed to agricultural, economic and social reasons. The high birth rate and the lack of both employment opportunities and adequate services were considered social reasons.

As far as the black people were concerned, the push-pull factors were the overcrowding of the reserves, poor working conditions on farms, unfavourable housing conditions and the more attractive conditions of service in the mines and the industries in urban areas. In this connection Pansegrouw (Suid-Afrika, 1945:307) said that the migration from the rural areas to the cities was one of the most important forms of social change in the modern world. White and black migrants from different circumstances and backgrounds, but for similar reasons,

became urbanized. The process of urbanization gathered momentum, but was later controlled by strict application of influx control measures.

Urbanization led to an established black urban working class, a factor with which the governing group increasingly had to reckon. Bekker and Humphries (1985:49) point out that not only did black women enter the urban labour market, but black men who had decided to settle permanently in the cities preferred to live there with their families.

The inter-departmental committee involved in the Inquiry into the Social, Health and Economic Conditions of Urban Natives (South Africa, 1942:1 & 12-13) pointed out the poverty that affected all facets of the black community's lives, as well as the poor housing conditions and overcrowding.

Urbanization brought changes to traditional customs and values as well as, in the long term, increased social mobility. With special reference to social change caused by westernization, Rheinallt-Jones (Suid-Afrika, 1945:67) indicated how the different groups were affected by it. From their very beginnings, the Cape coloureds modelled their lives on the example of the whites. He compared their position to that of the unskilled labourers in Europe. Most of the Indians continued with their traditional way of life, but change gradually took place. The traditional family system was disintegrating; sons, for example, established their own, separate and independent homes. As far as the black communities were concerned, the traditional tribal systems were disintegrating. Tribal communities were breaking up, reserves had become overcrowded, squatting was on the increase and a Western lifestyle was followed.

As far as the whites were concerned, their circumstances generally improved and from the thirties they had begun to adapt better to the changes. One change that should be mentioned is the increased entry of women into the labour market. In this connection, Steyn and Breedt (1978:203) said that a factor that had given the careers of women a great push, and one that contributed to their being accepted in the business world as men's equals, was probably the impact of the First and Second World Wars. During the Second World War, especially, more and more women in South Africa entered the labour market. One could say that this entry into the labour market caused a gradual change in the role of the

woman as mother and homemaker; this in itself began to affect the traditional view of marriage.

3.2.3 The state of family life

The economic revival during the war years clearly did not benefit all sectors of the population. According to certain minimum standards, many of the country's families lived below a minimum subsistence level. The Committee for Social Security (Suid-Afrika, 1945:85) found that 10 % of the white families, 45-50 % of the Indian families, 50-60 % of the coloured families and about 75 % of black families earned so little that the wage-earner could not afford what had been determined a "bare-minimum diet".

Apart from the poverty that family life suffered, black family life was also subjected to other disruptive factors closely associated with political limitations, such as influx control. The interdepartmental committee (see Paragraphs 3.2.1 and 3.2.2) (South Africa, 1942:1) summarized this concern as follows:

> Another factor to which the Committee wishes to draw attention is the maladjustment arising from broken family ties, particularly in respect of Natives in compounds, municipal hostels and lodgers in private families and domestic servants in urban centres. In both European and Non-European society, the family is the fundamental unit upon which the community is built.

Not only was the committee aware of family disruption, but it also made a pronouncement on the importance of the family in the community. According to Dahrendorf, the political interests of the ruling group had greater weight than the family interests of the subordinate group, with the result that little came of the measures to strengthen family life.

Another phenomenon that should be associated with urbanization is the disappearance of the large family and the reduction in the fertility rate of the white family in particular. During the above-mentioned conference (Suid-Afrika, 1945:62) concern was expressed about this phenomenon.

The emphasis on urbanization and the phenomena that accompany it resulted in the living conditions of the black family in the rural areas and reserves in particular being ignored. The unfavourable circumstances in which so many people in these areas found themselves had a negative influence on all areas of their lives, including their family life.

In the report on the Conference on Post-war Planning (Suid-Afrika, 1945:321-323), reference was made to the extremely unfavourable circumstances of black people in the rural areas. Further reference was made to the inadequacy of opportunities for employment and facilities for training, as well as to the poor housing. Less than 50 % of the children went to school. Phenomena such as illiteracy and illegitimacy were common. During the conference an appeal was made for the development of a social welfare service that would also be important in promoting the quality of family life, but this was not realized. The absence of action can be viewed against the policy pronouncement that the tribe should provide for its members' needs. Furthermore, little was done to reinforce the extended family in the reserves so as to enable it to fulfil the traditional role of caring. The government placed great value on the family as an institution, as is evident in the following statement by the Department of Social Welfare (South Africa, 1950:71) during this period:

> Family life is one of the greatest heritages that civilisation has left us. There is no greater influence for character forming and spiritual strengthening. The family circle is the one place where the fundamental human relations are nurtured. It is the cradle of our deepest emotions and most highly prized traditions and of everything that we regard as noble and fine.

This statement was considered positive for the family life of the ruling class. As far as the subordinate class was concerned, the influx control measures adopted were in direct contrast to the spirit of this statement. Black women, especially, were disadvantaged.

In retrospect, it appears that the family in the urban areas was better off as a result of greater opportunities for work. Restrictions on the movements of black individuals and families as well as on their housing, however, had a

negative impact on their family life. Family life in the reserves was largely ignored by the policy makers, and in the cities it was subjected to control measures.

3.2.4 Implications for family policy

In keeping with the family policy determined during the previous period, the following policy was developed for this period (see Harvey, 1988:132-134).

3.2.4.1 Policy principles

The government adopted the policy that control should be exerted over the movement of black people towards the urban areas, a principle that related directly to marital and family life.

The government emphasized the importance of a healthy family life - but did not apply its policy consistently, especially towards black family life.

Child welfare and family care services were left largely to private organizations, while social security was supplied mainly by the government. While the supportive role in the black community was provided mainly by the extended family and the tribe, no provision was made for reinforcement of this system.

Recognition was given to the changing status of the woman, with the understanding that her place was primarily with the family.

The previous chapter pointed out the relationship between suitable housing and a healthy family life but, as can be seen, during this period this was not accepted as a principle for policy towards the subordinate group.

As far as whites were concerned, housing was seen as essential for a healthy family life. The housing policy for blacks in urban areas was determined by sociopolitical considerations, with an emphasis on government provision of housing that did not satisfy black family needs. There was an inherent contradiction in that, although pronouncements were made by the policy makers regarding appropriate housing, these were negated by the housing policy for the black group.

3.2.4.2 Policy measures

The Blacks (Urban Areas) Consolidation Act 25 of 1945 was placed on the statute book, dealing with the residential rights of the black family and control over its movements.

A family allowance scheme was instituted for whites, coloureds and Indians, but not for blacks, despite their straitened circumstances. There was a subsistence allowance for children, but the blacks in the reserves were discriminated against and had to depend on their traditional systems which, as a result of poverty, were often inadequate.

Political policy was not conducive to a healthy family life in the sense that needy blacks in the urban areas had to depend on the traditional system, but little was done to reinforce this system. As a result of the policy of influx control, housing was built for black families in urban areas that did not meet their needs and was inadequate. This led to squatting and, according to the policy makers, illegal residence.

3.2.4.3 Policy structures

As a consequence of the policy structures of the previous period, the Central Housing Council became established during this time. This Council approached the provision of housing from a purely technical viewpoint, without involving the black community or taking into account the real needs and traditional housing of this group.

3.3 FROM 1948 TO 1982: THE APARTHEID ERA

3.3.1 Introduction

This period was somewhat longer than the foregoing periods and was characterized by the dominant ideology of apartheid, which also involved family policy. At the end of this period there was first a gradual and then an accelerated dismantling of apartheid, up to and including the new political dispensation in 1982. The years from 1948 to 1982 will therefore be dealt with as an entity.

Documents dealing with the following matters were selected for application to this period:

The National Family Congress, 1954

Report of the Commission for the Socio-economic Development of the Bantu Areas within the Union of South Africa, 1955 (Suid-Afrika, 1955)

Investigation into the Review of the Children's Act of 1937 and 1959

Family Congress, 1961

Statutory legislation promoting family life between 1965 and 1978

Report of the Commission of Inquiry into Matters relating to the Coloured Population Group, 1976 (Suid-Afrika, 1976).

3.3.2 Social change during this period

3.3.2.1 Sociopolitical change

Immediately after assuming power, the National Party began with the practical application of apartheid or separate development. In 1950 Dr Verwoerd summarized the motive for applying separate development as follows:

> My punt is dat indien 'n gemengde ontwikkeling in Suid-Afrika die beleid van die toekoms moet wees, dit sal lei tot die verskriklikste botsing van belange denkbaar. Die strewe en begeertes van die Bantoe en die strewe en oogmerke van al die blankes sal teenoorgesteld wees. So 'n botsing kan net ongeluk en ellende vir albei meebring. Albei Bantoe en blanke, moet dus vroegtydig oorweeg hoe dié ellende van hulle en hulle nageslag kan afgeweer word. Hulle moet 'n plan vind wat beide bevolkingsgroepe kanse tot volle ontwikkeling van kragte en ambisies kan verskaf sonder dat dit in botsing kom (Pelzer, 1963:21).

> [My point is that, should integrated development in South Africa be the policy of the future, this would lead to the most appalling clash of interests imaginable. The aspirations and desires of the Bantu and the aspirations and aims of all the whites would be in opposition. Such a clash could only bring unhappiness and misery to both. Both Bantu and whites should therefore timeously consider how to shield themselves and their descendants from such a misery. They should find a plan that gives both population groups a chance fully to develop strengths and ambitions without conflict.] (Author's translation)

The way in which this policy began to control and restrict the lives of blacks in the so-called white areas can be deduced from legislation passed between 1948

and 1961. These laws, as summarized by Coetzer (1986:278), include the following:

> Act 55 of 1949: The Prohibition of Mixed Marriages Act
> Act 21 of 1950: The Immorality Amendment Act
> Act 30 of 1950: The Population Registration Act
> Act 41 of 1950: The Group Areas Act
> Act 52 of 1951: The Prevention of Illegal Squatting Act
> Act 19 of 1954: The Blacks Resettlement Act.

About 17 Acts are mentioned, while other Acts were amended to suit the policy. Resettlement, often far from the parents' place of work, disrupted well-established communities and placed family life under severe strain. Parents had to leave home early in the morning and return late, commuting over long distances.

Influx control was intensified and it increasingly left its mark on the life of the individual and the family. Cock (1980:235) described the effect of influx control on the black community as follows:

> This has deepened the division of interests within the black community between those blacks legally in white urban areas who have access to the wealth of the economy in the capitalist core and those whose incomes are already four times as high as those who are employed in the Bantustans on the periphery of the capitalist system.

Separate development, which in a sense is a developmental approach, contributed to changing the black community. According to Kotzé (1983:133) under-development was the result of harnessing black labour to the benefit of capitalist growth. He puts it as follows:

> The Blacks, in this perspective, are found in peripheral groups, with the Whites as the central group; while the homelands are peripheral areas with white South Africa at the centre ... Development of the peripheral areas and groups are [sic] acknowledged, but it is also designed to serve the even faster development of the central (White) group and its area.

As far as the coloureds were concerned, according to the Theron Commission, apartheid emphasized the recognition of distinctive needs and aspirations, the

elimination of mutual domination and greater opportunities for effective self-determination (Suid-Afrika, 1976:23). This viewpoint led to legislation that determined the judicial status of coloureds and their powers in many areas, *inter alia* with regard to marriages and sexual intercourse, job opportunities, residential and property law, education and political matters (Suid-Afrika, 1976:23). These measures were instituted by the ruling group mainly for its own benefit. Although a limited political structure was developed for coloureds, it did not meet this group's needs and quickly disintegrated. The same limitations applied generally to Indians. A limited political structure that was developed for the Indians was also found unacceptable by that group.

The governing group applied the apartheid policy to practically every sphere of life, and its political interests overshadowed all other interests. At the end of this period there was a gradual relaxation of the application of the measures, but not before the system had left its mark on the community and family life of the subordinate group.

3.3.2.2 Socio-economic change

With the institutionalization of apartheid and the restrictive political measures linked to race, social change manifested differently among the different groups. On the socio-economic terrain, social change was linked to the degree of urbanization, different methods of production in the rural and urban areas, and cultural differences.

As far as the whites were concerned, the reports of the Family Welfare Congress of 1954 and the Family Congress of 1961 reflect the changes during the apartheid era. Murray (Murray & McKibben 1954:ix-x) refers to the increase in divorce after the Second World War. Although most of this increase could be ascribed to the impact of the war years, this increase was also regarded as a general pattern, reflected in official statistics. Murray also considered that broken homes were often the result of juvenile delinquency, alcoholism, psychological disturbance, social maladjustment or crime. The divorce rate was one of the highest in Western countries - almost one divorce to every seven marriages.

The problems associated with change and identified during the Family Congress in 1954, as well as others linked to urbanization and westernization,

were noted during the 1961 Family Congress. Pauw (Gesinskongres, 1961:11-12) expressed concern about the deterioration in family life that was reflected in the high divorce rate, in child and juvenile neglect, in delinquency among young people, in neglect of the older generation and in personality disturbances.

On a positive note Pauw (Gesinskongres, 1961:16) said that, as far as family problems were concerned, South Africa had emerged from a difficult period, a period of migration from the rural areas to the cities, a process in which most urban Afrikaans families had participated.

As far as the whites were concerned, there appeared to be a general adjustment to the changes accompanying urbanization. Other phenomena of change in the urban context also had an influence on family life, such as the greater entry of women into the open labour market and the changing values and norms that had accompanied urbanization.

In contrast to the white group, which was largely urbanized and displayed Western characteristics, the black group was in a phase of transition from a traditional rural lifestyle to an urban existence, with the majority still in the rural areas.

The Tomlinson Report confirmed the continuing trend of accelerated urbanization. The Tomlinson Commission summarized this process as follows (Suid-Afrika, 1955:10):

> In Suid-Afrika daarenteen is die Bantoe, veral gedurende die afgelope drie geslagte, so vinnig ingesuig in die kontaksituasie dat verandering nie op evolusionêre maar wel op revolusionêre wyse in hulle lewe teweeggebring is. Die resultaat is dat die kultuur van die Blankes op oppervlakkige wyse deur die Bantoe aanvaar is, geestelike onstabiliteit by die Bantoe in groot mate voorkom en dat die Bantoe in alle moontlike stadia van oorgang verkeer.
>
> [In South Africa on the other hand, particularly over the past three generations, the Bantu became so quickly assimilated that the change in their lives has taken place not in an evolutionary but in a revolutionary manner. The result has been that the culture of the whites has been superficially adopted by the Bantu, mental instability has became common and they find themselves at every conceivable stage of transition.] (Author's translation)

Change in the black community should be seen chiefly against the background of the processes of urbanization and westernization. The Tomlinson Commission (Suid-Afrika, 1955:27-30) pointed out the increasing influence of urbanization:

> Histories gesien, het die stedelike gebiede as tydelike of permanente verblyfplek van die Bantoe toegeneem en die Bantoegebiede, Blanke plase en die res van die platteland afgeneem in belangrikheid.
>
> [From a historical viewpoint, the urban areas became the temporary or permanent homes of the Bantu and the Bantu areas, white farms and the rest of the rural areas assumed lesser importance.] (Author's translation)

This statement is a summary of the attitude to urbanization. The push-pull factors increased to such an extent that the process of urbanization became unstoppable, despite political controls. Change in the black community was accompanied by increasing integration with urban structures and customs, especially in the economic sphere.

Measures were imposed that inhibited the phenomenon of black urbanization, which had been the consequence of poor socio-economic conditions. Despite the restrictions urbanization continued, albeit to a lesser extent.

The disruptive effect of the migrant labour system on family life has been highlighted by various investigations. In this connection see Leatt (1982), Nederduitse Gereformeerde Kerk in Afrika (1983), Reynolds (1984b), Schlemmer and Moller (1982) and Wilson (1972). These investigations indicate that the migrant labour system contributed to illegitimacy, bigamy, prostitution, the breakdown of parental authority, the disruption and disintegration of family life and many other social problems.

The coloured and Indian groups were not subjected to the restrictions imposed on the black population. While the former were also considered subordinate, they were exposed to different measures, such as resettlement. The socio-economic pattern of change for coloureds differed considerably from that of the other groups.

The Wilcocks Report (Suid-Afrika, 1937) indicated that many coloured communities existed in a state of poverty, and at the Family Congress of 1961 it was said that 50 % of coloured families lived below the minimum subsistence

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level. At the time of the Theron Inquiry (Suid-Afrika, 1976) a large percentage of the coloured communities still experienced poverty.

Demographic trends, such as a high population growth rate, an exceptionally high birth rate and a high child mortality rate, together with unfavourable socio-economic living conditions, typify a dependent social group (Suid-Afrika, 1976:4).

Poor and inadequate housing was one of the greatest problems among coloureds, and the Theron Commission (Suid-Afrika, 1976:204) identified this as an acute source of dissatisfaction and bitterness, as well as the breeding ground for social ills and poor health. The provision of suitable housing was made difficult by the high growth rate that was a feature of traditional rural society.

To summarize, the coloured community was characterized by the following: a high proportion of people living below the breadline, a high fertility rate, high child mortality, high illegitimacy, poor housing, low literacy, high unemployment, and an alarming incidence of crime, alcohol abuse, drug abuse and unemployment. The Theron Commission pointed out that these people had, over a number of generations, lost their willpower and zest for life as a result of their circumstances (Suid-Afrika, 1976:257-262). These phenomena all had an extremely deleterious effect on the quality of marital and family life.

All the groups in the country were in a certain sense subject to phenomena such as poverty, industrialization, urbanization, and modernization. As a result of cultural differences and certain selective sociopolitical measures that benefited the governing class and placed restrictions on the subordinate class, the groups were subject to different socio-economic changes. For example, it has been pointed out that the black group alone was subjected to a migrant labour system. The coloureds, on the other hand, were characterized by large-scale community poverty.

3.3.3 The state of family life

The relative importance of the family in South African society during the apartheid era can be judged from significant statements made during the congresses in 1954 and 1961. At the Family Welfare Congress a number of

speakers stressed the importance of family life in the social context. Brink (Murray & McKibben, 1954:2-3) made the following statements:

1. The existence of the family depends upon an irreversible ethical sanction, without which the existence of a civilized community is unthinkable ...
2. The family is the primary group within community life, the living cell on which the community is built ...
3. Marriage is the foundation of the community since it is a God-given institution on which a community should be built.

Furthermore, the importance of family life was stressed by the government in the words of the Governor-General (Gesinskongres, 1961:9). He called upon the church and other leaders to refrain from meaningless controversy about matters of minor importance and join forces to save families that were disintegrating.

These statements and pronouncements were considered of crucial importance for family life in general, but they were not consistently applied to all population groups by the governing group. Political measures, such as resettlement and migrant labour, prevented their realization in the black community.

From the discussions during both congresses it can be deduced that families had begun to relinquish their primary functions to other institutions. Family members formed new groupings, which altered their relationship with the family. Although the traditional family was starting to change, the significance of the family in society was still valued highly.

Another important dimension for the family was family income. Irving (Gesinskongres, 1961:91-100) calculated prevailing wage levels and household incomes. His investigation indicated that 6 % of white families lived under the minimum subsistence level (the breadline), as against 50 % of coloured and between 60 % and 70 % of black families. These calculations reflected a somewhat better picture than findings announced during the Postwar Planning Conference in 1944. Depending on criteria that can be interpreted in different ways, it would seem that, from the forties onward, the poverty of coloured and black families showed a slight decline, although most families in the subordinate group existed in communal poverty.

Although the family, and the black family in particular, was subjected to change, during this period the family still played an important role within the traditional system.

Marriage within the traditional system was described as follows:

> Met inagneming van duidelike huweliksreëls, wat gegrond is op die verwantskapstelsel, kom gesinne tot stand wat soos 'n netwerk deur ondertrouing die hele stam kan aan mekaar bind ... Hierdie maatskaplike bindweefsel word by huweliksluiting na die uiterlike versterk deur die oorhandiging van goedere, hoofsaaklik beeste, deur die familie van die man aan die familie van die vrou (Suid-Afrika, 1955:2-3).
>
> [With due observance of distinct matrimonial rules based on the kinship system, families came about which, like a network, could unite the whole tribe through intermarriage ... This unifying social fabric is outwardly strengthened by the handing over of goods, mainly cattle, by the family of the husband to the family of the wife.] (Author's translation)

Not even the traditional black family was exempt from change. Steyn, Van Wyk and Le Roux (1987:278-285) point out, *inter alia*, the role that religion, the school, the economy, legislation and the process of urbanization played in changing the family life of black people. Maforah (1987:262) describes the change to which the black family was exposed as follows:

> It is a commonly known fact that European contact with Africa initiated highly disruptive changes which affected African family life.

According to Steyn, Van Wyk and Le Roux (1987:308) the following family configurations can be identified in urban areas: complete core families, complete multi-generation families, and incomplete families. One should take care not to categorize the family life of black people into only two groups for policy-planning purposes - namely the extended family and the core family. All family types should be taken into account.

A statement in the Tomlinson Report that could be considered a family policy pronouncement took a careful look at social support networks in the black community.

According to the report (Suid-Afrika, 1955:62), social welfare belonged with the general duties and responsibilities of the immediate and extended family

and the tribe. While for the other groups, to a greater or lesser extent, a social support service was provided by the government, for black people the onus for social welfare rested primarily on the tribal system, as it had previously.

With the disappearance of the supportive and welfare functions of the extended family, the policy makers' argument against a fully fledged welfare system was invalidated. Inadequate alternative welfare services in rural, homeland and urban areas were the result. The implication in terms of policy was that a social welfare infrastructure providing for the full spectrum of needs, allowing for the variety of family configurations, should have been planned.

In contrast to the position of the white family, a different picture manifested itself for the coloured family. The Theron Report (Suid-Afrika, 1976) indicated that fundamentally the same family problems and patterns existed at that time as had during the 1937 investigation. Family life was showing signs of disintegration related to community poverty, unemployment, and so forth.

With reference to the relationship between socio-economic circumstances and the state of family life, the investigating commission (Suid-Afrika, 1976:11) had the following to say:

> In die swak sosio-ekonomiese omstandighede waarin 'n deel van die Kleurlinggemeenskap leef, gebeur dit blykbaar dat daar op 'n redelike skaal verhoudings ontstaan waaruit kinders verwek word, maar dat die vader nie so gereeld by die moeder woon dat daar van 'n "leef saam" of *de facto*-huwelik sprake kan wees nie.
>
> [In the poor socio-economic circumstances in which part of the coloured community is living, relationships commonly arise from which children are born, but in which the father does not live with the mother regularly enough to enable one to speak of their "living together" or of a *de facto* marriage.] (Author's translation)

A vicious circle prevailed, in which generation after generation lived in conditions of poverty. Children that grew up in this type of environment found it difficult to outgrow. In such circumstances family life could be considered dysfunctional for individual members. The family formed part of a poor class with a limited number of institutions and which, at political level, had little say in its own

affairs, including family interests. As in the 1937 investigation, a middle class maintaining a family life was encountered.

The relevant source material on this period indicates that white, coloured and black families were all subject to change, and their family patterns differed considerably. White family life was primarily Western in nature and families *found themselves in an urban milieu. A striking characteristic of the coloured* family was the large proportion of *de facto* marriages and illegitimate children. A large proportion of these families existed in poor living conditions. In contrast, black families found themselves somewhere on a spectrum between traditional and Western life, and they were subjected to certain political restrictions.

3.3.4 Implications for family policy

3.3.4.1 Sociopolitical implications for family policy

Where the black family was affected the most by political measures, attention is given to pronouncements in this respect. In reaction to the report by the Tomlinson Commission (Suid-Afrika, 1955), the government announced certain decisions in a White Paper. The unequivocal rejection of the policy of integration, as well as justification of the policy of apartheid, was welcomed by the governing group (Suid-Afrika, 1956:3). All other policies were formulated against this pronouncement of broad political policy, including the welfare services that are discussed later.

One could argue that some of the recommendations indeed led to an improved family life but from a political viewpoint the family enjoyed low priority. The preference that the interests of the ruling class enjoyed over those of the black community and family was also illustrated by the indentured labour system. As a result of the choice between urbanization and the development of the black areas, the Tomlinson Commission (Suid-Afrika, 1955:63) stated that

> ... veral die manlike bevolking van die Bantoegebiede dikwels in die Blanke sektor werksaam [is] as migrasie-arbeiders in 'n stelsel wat, hoewel met inagneming van werklikhede, om etiese sosiale redes nie die gesondste nie, tog verkieslik is bo volskaalse verstedeliking in die huidige milieu maar nie te verkies is bo volwaardige ontwikkeling in die Bantoegebiede nie.

> [... the male population, in particular, of the Bantu areas [is] often employed in the white sector as migratory labourers in a system which, taking realities into account, is not the healthiest for ethical social reasons; it is nevertheless preferable to full-scale urbanization in the present milieu, but not to be preferred to full-scale development in the Bantu areas.] (Author's translation)

The application of certain political measures, such as the migrant labour system and the state of family accommodation in urban areas, as well as the absence of appropriate family policies (such as an early introduction of child and family care services) contributed to the progressive disintegration of black family life.

In accordance with the political system of the ruling class, a particular developmental model was decided upon, namely separate development. Measures emanating from this policy contributed to change in the family life of the blacks; the resettlement of people in the homelands and the establishment of towns far from places of employment led to changed family customs and lifestyles. Restrictions on the presence and movement of women and children in urban areas and on the provision of urban housing led to changed roles in the family.

In contrast to an explicit policy for the black group, the government had no definite policy for the coloured group, as is evident from the reaction to the Theron Report in the government's White Paper (Suid-Afrika, 1977). From the recommendations it is clear that the Commission was not inhibited by the political thinking of the time. There was, for instance, a recommendation that provision should be made for direct representation and a voice for coloureds in the various levels of authority and the decisionmaking bodies (Suid-Afrika, 1976:512-513). The government's reaction was to commission a cabinet committee to look into a political dispensation for coloureds and Indians (Suid-Afrika, 1977:110). The result was ultimately the tricameral parliamentary system discussed in the following chapter.

Du Toit's view (Theron & Du Toit, 1977:105) concerning the report reflects the general view of the coloured people:

> Oor die dringendheid van veranderinge wat in die sosiale politieke posisie van die Kleurlingbevolking aangebring moet word, kan geen Suid-Afrikaner meer twyfel hê nie. Die handhawing van die huidige vorme van politieke deelname en statutêre of ander maatreëls wat bloot op grond van

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> kleur teen Kleurlinge diskrimineer, strook beslis nie meer met die vereistes en norme van ons daaglikse saambestaan en menswaardigheid op die onderskeie lewensterreine nie.
>
> [No longer can any South African doubt the urgent need for changes in the sociopolitical position of the coloured population. The preservation of the current forms of political participation and statutory or other measures that discriminate against coloureds on purely racial grounds is no longer consistent with the demands and norms of our daily co-existence and human dignity in the various walks of life.] (Author's translation)

In keeping with the policy of separate development, the Department of Indian Affairs was founded in 1961. Millar (1971:2) maintains that the department's function was the promotion of the economic, social and political development of Indians in South Africa. It was against this background that the South African Indian Council was constituted, originally as an advisory body, but later as a statutory council. In terms of the political dispensation, the Indian group enjoyed a low priority without any significant deviation from previous periods as far as their family life was concerned.

3.3.4.2 Legislation on marriage

In reference to marriage and divorce laws, Hahlo said the following during the Family Welfare Congress (Murray & McKibben, 1954:132):

> The high divorce rate in the Western World today is but a symptom of the general malady of our times, and it is naive to think that laws can be drafted which will correct the causes of marital disharmony.

An important point is made here, namely that legislation itself cannot restore marriages and families. For that purpose, different measures are required.

3.3.4.3 Welfare policy with implications for the family

During this relatively long period various developments in the welfare sphere had particular importance for family life. Apart from legislation, structures were developed to formulate and implement family policy.

- **Establishment of the South African Council for Marriage Guidance and Family Life (FAMSA)**

FAMSA's objectives included the co-ordination of the activities of local societies and informing the public about marital and family life. A third objective was the following:

> To be the official channel on matters of national and general policy, between the constituent societies and the Union Government, Provincial government and other authorities (Murray & McKibben, 1954:173).

From small beginnings, this council grew to a fully fledged institution that promoted the interests of marriage and the family throughout the country.

- **Welfare structures**

The Tomlinson Report (Suid-Afrika, 1955:63-64) stressed the lack of a co-ordinating body on social welfare and family policy. At the time welfare services were chiefly provided by the Department of Native Affairs and the Department of Social Welfare, with the former department dealing mainly with pensions, allowances, probation services and youth clubs, whilst Social Welfare was responsible for the subsidization of social workers' posts and welfare institutions. Little thought was given to a more effective child and family welfare service. The black community also had little say in its own organized welfare.

The welfare services that were provided and subsidized for black people who lived mainly in the urban areas should be seen against the background of the political policy in force during the apartheid era - which was, first, that the black family's home was in the homelands. The second objective was to give social assistance to the needy - whether children, the disabled, widows or the aged within the extended family system (Suid-Afrika, 1962:12-15). One can argue that the organized welfare service was secondary to the traditional system of support. No service existed to strengthen the traditional family system.

Since the Tomlinson Inquiry was directed mainly at economic need and development, it was to be expected that social interests would not enjoy the necessary priority. On the other hand there were no strong interest groups to

promote social needs. The *status quo* was therefore maintained. Winckler (1967:317) said that after 1960 certain welfare services were transferred to the Department of Coloured Affairs, the Department of the Interior (in respect of Asians), and Bantu Administration and Development. These developments were in keeping with the policy of separate development and with having separate welfare departments for the different groups. The welfare interests of each group were now dealt with by a separate department, although white interests were served by an independent welfare department.

In contrast to the other groups - whose welfare departments stood on shaky ground - the welfare service of the white group was well established and dynamic. The Department of Social Welfare was consequently ready for innovative thinking, as was apparent from the establishment of the Commission and Division for Family Life.

During the Family Congress (Gesinskongres, 1961:86) it was proposed that an institute for family welfare be founded, with objectives that included the co-ordination of efforts to help families, the evaluation of services, legislation and research.

With reference to the proposal for an institute for family welfare, Winckler writes (1967:420) that, as a consequence a decision was to develop a National Welfare Council to attend to a South African family policy. The result was that, in terms of the National Welfare Act 79 of 1965, provision was made for, among other things, two commissions that would be closely related, namely the Commission for Family Life and that for Welfare Planning.

As a result, and in co-operation with the Commission for Family Life, in 1969 the Division for Family Life conducted a countrywide survey of family life programmes in operation in South Africa at the time. The significant findings of this investigation (Suid-Afrika, 1971:30-32) included the following:

> 'n Gesindheid en pogings vir die bevordering van die gesinslewe kan nie van mekaar geskei word nie. Behuising verwys nie net na onderdak nie, maar moet ook in die gesin se besondere behoeftes voorsien.
>
> [Family policy and efforts to promote family life cannot be separated. Housing does not refer to shelter alone; it should also provide for the particular needs of the family.] (Author's translation)

In the annual report of the Department of Social Welfare and Pensions, 1972-1974 (Suid-Afrika, 1975:47), the point is made that changing social conditions demand changes to the welfare structure. No mention is made of the nature of the changes, but the inadequacy of such structures for the other groups and the need for developing local welfare services, *inter alia*, may be cited as reasons. The result was that the National Welfare Act 79 of 1965 was replaced by the National Welfare Act 100 of 1978, which made provision for, *inter alia*, a South African Welfare Council and regional welfare councils for the different population groups (articles 2 & 6).

Apart from the one-sided nature of the National Welfare Act 79 of 1965, and that of the Commission for Family Life, this Commission was considered a milestone in the history of family policy in South Africa. For the first time there was an institution that cared primarily for the interests of family life. The Commission was kept busy with topical matters that affected the family, but before its activities could bear real fruit the Act in question was replaced by another. The latter Act, which made provision for a multicultural welfare council and separate regional welfare councils, might have been considered retrogressive. The 1965 Act, with its structures, could have formed the basis for involvement by all the population groups, and for the determination of a national population policy. An important opportunity for co-operation between the different groups and for the development of a family policy was probably lost.

Against the background of the existing welfare structure, the Theron Commission made several recommendations. It recommended that coloureds should be appointed to the regional welfare councils and the National Welfare Council and that all welfare departments should be accommodated under one roof, with divisions for the different groups (Suid-Afrika, 1977:95-97). These recommendations were in direct opposition to government policy. One welfare department was never realized. The rationale for the viewpoint on separate welfare services that prevails to the present day is the following:

> Vanweë kulturele en etniese verskille kan 'n breë welsynbeleid vir die hele land en rakende alle bevolkingsgroepe beswaarlik bedink word (Suid-Afrika, 1977:97). (Author's translation)

[Because of cultural and ethnic differences a broad welfare policy for the entire country, affecting all population groups, can hardly be contemplated.] (Author's translation)

The rationale behind this statement is not clear, since the broad principle and methodology of social welfare is universal, although a distinction is made between individual, family and community differences.

There was consensus between all of the interested parties on the distress of much of the coloured group. Both the ruling class and the subordinate group stood to gain if the circumstances of the coloured community could be improved. The ruling group considered dealing with the problem within the parameters of apartheid, causing dissatisfaction among the coloured interest groups. The community therefore had to be upgraded, but on the ruling group's terms, such as the resettlement of communities at places determined by the latter group.

- **The Children's Act 33 of 1960**

The working committee (Suid-Afrika, 1959:1) that was appointed to investigate the Children's Act 31 of 1937 found that the principles and the sections of this Act were fundamentally sound. After twenty years, however, it became appropriate to review the Act. The most important of the changes are noted. Apart from changes in age in certain clauses, the protection of children was expanded upon by the Children's Act 33 of 1960. The definition for a child in need of care was broadened and more clearly defined. Section 1(xxxv)(a) made provision for a child that had been abandoned or was without apparent means of support, and Section 1(xxxv)(i) provided for a physically or mentally neglected child.

One comes to the conclusion that in the revision of the Act the error of reasoning made in 1937 was repeated: the Act was drawn up from a sophisticated Western viewpoint and it was applicable to all groups, but not consistently. Had the Act been applied indiscriminately to the black community, large numbers of whose children were in need of care, the number of children involved would have been unmanageable.

3.3.4.4 Housing as an element of social security and family policy

The role and significance of housing in the life of the individual and the family has been stressed in a number of the works referred to in this study.

The Family Welfare Conference (Murray & McKibben, 1954:114) stressed the provision of suitable housing to families, particularly in the lower income groups, since overcrowded living conditions were a serious threat to the moral and physical welfare of any family, and contributed to the destruction of a healthy family life. The Theron Commission (Suid-Afrika, 1977:64-74) recommended that the elimination of the housing backlog should enjoy the highest priority and that the housing policy should be streamlined. The provision of suitable housing was considered one of the most important measures in the development of a healthy family and community life.

Family housing was considered to be more than a roof over one's head; it included the environment in which one lived. The role of housing has been described as follows by Fouché (*cf.* Dewar & Ellis, 1979:9):

> Housing represents one of the primary requirements of man, and it is the most important single foundation for stability, security and satisfaction in the community.

Despite this official pronouncement there were too many restrictions for the subordinate group to realize its significance. As far as South Africa was concerned, an increasing number of political measures directly regulated and influenced the general living, but especially the housing, conditions of a large part of the South African population. The following Acts, designed to promote the policy of segregation or apartheid, and affecting family housing and consequently family life, are of note:

The Blacks (Urban Areas) Consolidation Act 25 of 1945
The Prevention of Illegal Squatting Act 52 of 1951
The Blacks Resettlement Act 19 of 1954
The Housing Act 4 of 1966
The Group Areas Act 41 of 1950
The Slums Act 76 of 1979.

One could argue that the family housing and family life of the black group was the most dramatically affected by the above measures. The government's policy that black people belonged in the homelands was also evidenced in resettlement and specific housing measures (BENBO, 1976:124). The "principle of temporary residence" of black people in the so-called "white areas" led to the freezing of family housing provision. Smit and Booysen (1981:32 & 68) call attention to the freezing of family housing in certain black residential areas because family housing had been provided in neighbouring homeland towns, homeland urbanization had been developed and the decentralization of industries was being promoted (see also Bekker & Humphries, 1985:83). The restrictions on or the arrested provision of family housing in black urban communities and the increased establishment of single quarters for labourers in hostels considerably changed the character of black urban residential communities, according to Smit and Booysen (1981:77).

One of the consequences of resettlement was that the subordinate group generally lived far from their places of employment, which again affected family life. The people generally had no choice as to where they could live or what their houses should look like. Dewar and Ellis (1979:56) refer to the long hours that people spent travelling to and from work, and the effects on their family life. In this connection they say:

> The effects of this are declining family life, for working parents see little of young children, increasing juvenile delinquency, through inadequate parental supervision, few opportunities for recreation ...

One result of the freezing of family housing in urban areas was a large housing backlog. Accelerated programmes for building houses in the homelands could not compensate for the decline in the provision of urban housing. Smit and Booysen (1981:91) point out that housing could not be provided for the natural increase and for the children of the blacks that lived and married in urban residential areas. Besides open squatting, a form of disguised squatting was encountered. Children who married often were obliged to live with their parents, while subletting also occurred. As a result overcrowding was common, squatting increased

and slum conditions that could not be contained by legislation arose. Squatting should be considered a universal phenomenon accompanying urbanization.

The rigidly prescriptive way in which family housing was provided is reflected in the following statement by Dewar and Ellis (1979:209):

> The policy is structured to handle the problem of the hypothetical "average" family or individual. By vigorously pursuing one set of alternatives, however, real choice is excluded.

The policy allowed little opportunity for choice of housing, while those who knew the most about their own housing needs were not consulted in determining this policy. One should bear in mind that the average family was exceptionally poor and could not afford even the most basic standard of housing according to Western standards. Therefore, according to the chairman of the National Housing Commission, W.J. Marais (1986:2 & 7), research was required in order to address the backlog in the most efficient manner. As a result of such research, the cost of housing was dramatically reduced. In 1958 the cost of building an NE/51/6 house - a house with three rooms and a kitchen, outside flush latrine (without bathroom) and a fence - amounted to R278. The houses were without electricity and had a concrete floor in the kitchen and earth floors in the other rooms.

Although the standard of the houses gradually improved, the backlog could not be eliminated. It is evidently impractical and impossible for a government to meet the increasing need for family housing through its own building programmes.

Black women and their dependants from the homelands were particularly discriminated against, especially in certain prescribed areas where they were not allowed to live with their husbands, as families. One result was that families increasingly settled as illegal squatters in urban areas, which brought them into conflict with the governing group. As an example of the resistance to the ruling group, Dewar, Todes and Watson (1982:40) note the following:

> ... during the recent confrontation between the state and the Nyanga squatters, the squatters refused to be fobbed off with offers of housing for

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some: the issue has overtly become one of the legality and permanence of "illegals" particularly wives and children.

The "principle of temporality" of black people in urban areas led to the freezing of family housing in prescribed areas, and not even housing for the natural increase could be provided. The people had little say in providing their own housing since, according to the apartheid policy, they were best off in the homelands.

The housing policy, together with other political legislation, made a significant contribution to social change in the black community, and more particularly the black family. The housing backlog resulting from a political ideology contributed on the one hand to the impoverishment of the living conditions of people and families already existing in poor conditions, and on the other to the increase in conflict potential as well as real conflict between the ruling group and the subordinate group.

3.3.5 Summary

3.3.5.1 Background

During this period the apartheid policy was consistently implemented. All the policy trends in the country were subjected to the principles of apartheid. Policy planning and implementation were executed chiefly by the ruling group. An attempt was made to develop and modernize the black population separately, without giving them any say in matters that concerned their own interests. This policy led to an increased clash of interests between the ruling and the subordinate groups, even to open conflict and violence.

A dualistic family policy came into being. On the one hand it was a family policy aimed primarily at white family life but also applied to other groups, and on the other it was an exclusive family policy for the black group, with an emphasis on settlement of the family in the homelands and the handling of social problems through the traditional system.

The policy that developed during the apartheid period will be summed up in terms of policy principles, measures and structures.

3.3.5.2 Policy principles

From the foregoing discussion it is apparent that the ruling group applied the following policy principles explicitly or by implication.

The family life of the black subordinate group was subjected to the policy of apartheid, and migrant labour was promoted rather than family migration or settlement in the cities; as far as possible, black women and dependent children were obliged to live in the homelands.

Social welfare development was an integral and functional part of the policy of separate development.

Suitable housing was a prerequisite for a healthy family life. As far as the subordinate group was concerned, however, housing was subject to political measures.

The ruling group looked upon the extended family in the black community as an alternative support system for the family in need; this also applied to families in the urban areas. As a result no comprehensive welfare service was developed.

3.3.5.3 Policy measures

The partnership relationship between the government and the welfare community was developed further.

Heavy demands were placed on the black family in tribal context in relation to social welfare and welfare activities.

The Children's Act of 1937 was reviewed and made provision for, among other things, firmer action against parents who neglected their parental duties. The formulation of a national family programme made good progress, but was cancelled.

The government provided the lower economic classes with family housing in terms of minimal Western standards, in line with the apartheid policy.

3.3.5.4 Policy structures

The South African National Council for Marriage Guidance and Family Life was established. Together with private child welfare, church and women's organizations, it provided services for marital problems and the family.

The white community had access to a well-developed welfare department that took responsibility for the promotion of family life; the other groups' welfare and family care services were spread between different departments. The services to the black group, especially, were not developed in keeping with their needs.

The Commission for Family Life and the Division for Family Life were established but dissolved before the end of this period.

The contribution of the South African Welfare Council - which was brought into being by the National Welfare Act 100 of 1978 - towards improving the quality of family life was slight. The contribution of the regional welfare boards in this respect was similarly limited.

The National Housing Commission, and other structures responsible for the planning and provision of housing, provided housing from an apartheid-policy perspective.

3.4 FROM 1983 TO 1986: A PERIOD OF TRANSITION

3.4.1 Introduction

In keeping with the new political dispensation, the government of the day has pledged itself to the process of reform, a process that will include the black communities. Although change and reform are declared objectives from the perspective of the ruling class, the principle of separateness underpins reform. It will be seen that this approach is also reflected in family policy.

Because of the tentative nature of the sociopolitical progress, this period is considered a period of transition to what is as yet an unknown dispensation. Change is dynamic and no-one can really predict the direction South Africa will take in the immediate future. For the purposes of this study this period has been demarcated as 1983 to 1986.

The following documents are considered the most important in the study of family policy during this period:

The Second Carnegie Inquiry into Poverty in South Africa, 1986

Investigations into marriage and divorce legislation, including the Divorce Act 70 of 1979, the Matrimonial Property Act 88 of 1984, the Commission of Inquiry into the Structure and Functioning of the Courts 1983, and the Investigation into Marriages and Customary Unions between Black Persons, 1986

The Child Care Act 74 of 1983

The proposed national family programme, 1985

The HSRC Co-operative Programme on Marriage and Family Life, 1986.

3.4.2 Social change during this period

3.4.2.1 Sociopolitical change

The first substantial signs of change in traditional apartheid followed the acceptance of the Wiehahn Commission's report on manpower in 1979. Restrictions on black workers were reduced and mixed trade unions were again permitted (Davenport, 1986:311). Although they still fell within the parameters of apartheid, at the time these measures were viewed as dramatic. In fact, the way was prepared for the creation of institutions that would look after not only the labour interests of the subordinate group, but also its interests in other spheres.

In the political sphere, the tricameral parliament in which whites, coloureds and Indians have participated, took shape at the beginning of the eighties, with the point of departure being "own" and "general" affairs. Although for the above groups the concept of democracy had broadened, the policy of separateness remained. This political principle is the foundation of current social and family policy.

As far as the black population was concerned, the ruling group sought a solution along the lines of separateness. In 1983 the following statement was made concerning political rights for blacks:

> Die tuislande bied egter nie 'n volkome oplossing vir dié deel van die Swartmense wat buite die tuislande woon nie. Aan hierdie probleem word aandag gegee: 'n Kabinetskomitee is aangestel om die saak te ondersoek. Dit is duidelik dat watter wyse ookal gevind word om dié probleem te

hanteer, die Swartmense self ook in die proses geraadpleeg sal moet word (Van der Merwe, 1983:10).

[The homelands do not, however, offer a total solution for those blacks that live outside the homelands. This problem is receiving attention: a Cabinet committee has been appointed to investigate the question. Clearly, whatever means may be found to deal with this problem, the blacks will also have to be consulted.] (Author's translation)

This view essentially differs from the approach toward the subordinate groups during the apartheid era. In keeping with the above pronouncement the following has been said about the next significant change, namely the abolition of influx control:

Die Regering het sedertdien die permanensie van Swartmense in die RSA aanvaar en besluit dat alle Suid-Afrikaanse burgers, met die beskerming van minderheidsregte en die behoud van die keuse van onafhanklikheid vir dié gemeenskappe wat dit verkies, gelyke politieke regte moet verkry in 'n onverdeelde RSA, waarbinne daar reeds owerheidsinstellings op verskillende vlakke bestaan en nog kan ontwikkel (Suid-Afrika, 1986a:16).

[The Government has since accepted the permanence of blacks in the RSA and has decided that, together with the protection of minority rights and the maintenance of independence for those communities that desire it, all South Africans should have equal political rights in an undivided South Africa in which governmental institutions already exist and may yet develop at different levels.] (Author's translation)

In keeping with the previous periods, it is expected that the determination of family policy will fall largely within the context of the political thinking of the day.

3.4.2.2 Socio-economic change

Among the investigations on the subject from this period, it is mainly the 1984 Carnegie Report that reviews socio-economic change. When the investigation was undertaken at the beginning of the transition period, the ruling party's reform measures had not yet had any noteworthy effect on the community and family life of the subordinate group. From several of the reports presented at the conference, a picture of socio-economic change at the beginning of the eighties can be gained

from the perspective of the subordinate group. Social change is also related to urbanization, especially since an increase is expected in the urbanization of blacks after the abolition of influx control.

Platzky (1984:5) claims that influx control and the cleaning up of informal residential areas have been responsible for the relocation of more than two million people over a period of twenty years. These relocations occurred mainly in urban areas. According to Platzky (1984:1) three and a half million people were moved from so-called white urban areas to areas for blacks. This author claims that the resettlement led to the impoverishment of the people concerned. These actions certainly contributed to poverty and disruption, but they cannot be held responsible, in isolation, for impoverishment. The conclusion is drawn that relocation and resettlement led to changes in community life, family life and even the job situations of this group.

Migrant labour is another factor that has contributed to social change. Reynolds (1984b:2) points out that 1 329 000 migrant labourers worked outside the homelands during 1981. Although migrant labour holds certain economic advantages, it is disruptive for the individual, the family and the community.

The phenomenon of poverty dominates the lives of large numbers of people and it is considered necessary to look at the extent of poverty in the black community within the context of social change. Reynolds (1984a:17) states, in reference to a calculation by Simkins, that in 1980 25 % of black families in urban areas, 50 % of those on farms and 75 % of those in homelands were living below the breadline. It is not certain that all the variables in this calculation have been taken into account, but it gives one an indication of the widespread poverty, especially in the rural areas.

The circumstances of the black community have clearly changed little from the former period, and large numbers still exist in conditions of abject poverty. Should the policy makers' pronouncements be realized, one can expect that the greater freedom of movement will contribute to a process of increasing urbanization - determined by socio-economic factors - and accelerated social change. If this new approach is not accompanied by political recognition, it could give rise to a greater conflict of interests manifesting in violence from both sides. Even

should all of the ruling group's regulatory measures be repealed, it could take a long time for the consequences of the apartheid era to be forgotten.

3.4.3 The state of family life

Amid the voices claiming that the family is outmoded, pronouncements have been made with particular importance for family life in South Africa. In investigating a proposed family programme, the task group came to the following conclusion (Suid-Afrika, 1985:65):

> In die lig van die onbevredigende gehalte van die huweliks- en gesinslewe in die RSA, die beperkte dienslewering en die belangrikheid van 'n gesonde huweliks- en gesinslewe wat noodsaaklik is vir die ontwikkeling van die lewenskwalitieit van 'n gemeenskap, is die formulering van 'n gesinsprogram dus geregverdig.
>
> [In the light of the unsatisfactory quality of marital and family life in the RSA, the limited services available and the importance of a healthy marital and family life for the quality of life of a community, the formulation of a family policy is considered justified.] (Author's translation)

During the two workshops presented by the Co-operation Committee (Samewerkingskomitee, 1986:2), the position and significance of the family were confirmed. The Co-operation Committee came to the conclusion that, even in this complex, structurally differentiated society, the family remained the place in which the basic moral and social personality of the individual was formed. For the policy maker and those applying the policy, this finding could serve as an indicator of the family's current status in society (Samewerkingskomitee, 1986:4).

The Co-operation Committee came to the conclusion that one needs to have an in-depth and comprehensive knowledge of, *inter alia,* the special nature of family structures and the extent and occurrence of difficulties to be able to develop policy and programmes for the prevention and handling of these problems. The significance of research into family policy is confirmed by this statement and the question arises as to whether previous family policy has been supported by relevant research.

In the former report (Suid-Afrika, 1985:10-15) the influence of poverty and poor living conditions on family life is discussed. Social change is reflected in changing family roles and values and norms, as well as in urbanization and industrialization. The effect of poverty on family life is also stressed.

With reference to migrant labour, from the perspective of political and economic interests, it was considered expedient for a father to sell his labour in the cities, but his family should remain in the rural areas. Poverty and limited opportunities for employment forced black men to become part of the contract labour system. Platzky (1984:13) claims that conditions in the homelands are so bad that families are forced to live on grandparents' pensions, especially where resettlement has occurred.

The degree to which the family life of the migrant labourer has been affected by political measures and discriminated against is evident from the following statement by a contract worker (Reynolds, 1984b:22):

> ... It is so heartbreaking when I come from work and hear that my wife and children have been arrested just because I am a contract labourer. I was joined to her by the law, a magistrate. When the authorities part us, I become distrustful and do not even trust God ...

The Carnegie Conference Paper by Cock, Emdon and Klugman (1984) sketches the circumstances of the working mother and the associated state of child-care. Referring to the black family, Cock, Emdon and Klugman (1984:2) note that most mothers are obliged to return to work away from home shortly after the birth of a child. This statement is also largely true of the other groups. Although it is generally said that the extended family is on the decline, the writers (Cock, Emdon & Klugman, 1984:6-7) state that in the black urban working class the extended family is the most common support structure, one in which the female members give support to working mothers. Serious over-crowding prevents the formation of core families and another form of extended family comes into being.

Regarding the family life of blacks, Cock, Emdon and Klugman (1984:8) concluded the following, which could also apply to the rural areas:

> Clearly, there is no single pattern of urban family life, and existing patterns have to be located in an appreciation of the massive disor-

ganization of African family life under the impact of poverty and the migrant labour system ...

Another facet of family life that one needs to take cognizance of is single parenthood. Single parenthood is increasingly encountered in all communities and it is largely the result of divorce or unmarried parenthood. The writer considers that the single-parent family should be recognized as an alternative family form; such recognition would help protect this type of family from restrictions and suffering. Apart from the problems that generally accompany single parenthood, such as inadequate funds and facilities for care, the Carnegie Paper by Van der Vliet (1984:2-3) shows that the black single-parent family is exposed to even greater restrictions and discrimination. Black women seldom receive child allowances. As a result of the complex legal status of the woman in the urban areas there are restrictions as to housing, and her presence in the city is threatened. Furthermore, social allowances are insufficient to resolve the black single parent's financial problems.

A trend in the period of transition that should be noted, is the family disorganization that related to unrest in the black urban areas. The relationship between children and their parents was disrupted. Parental authority was rejected and children were involved in groups that came into open conflict with the power structures of the parents as well as those of the ruling group.

From the above, it appears that family life received a great deal of attention during the transitional phase. Although the families of all population groups showed signs of disintegration to the extent that a national family programme was proposed, the black family in particular was subjected to large-scale disorganization - in the cities, the homelands and the rural areas.

3.4.4 Policy implications

3.4.4.1 Sociopolitical implications for family policy

During this period the tricameral system of government has been established, which differs greatly from the previous system. Whites, coloureds and Indians each have an "own affairs" component that may be looked upon as an institution at the highest level and one which has led to a broadening of the power base. The

black group's interests during this time have been handled by a succession of different departments. Family policy matters, as far as the whites, coloureds and Indians are concerned, are handled by political and administrative structures in which the respective groups participate and have a say in their own affairs.

As a by-product of previous eras, separate court systems also exist. In order to provide for the traditional rights and customs of the black community, commissioner's courts were instituted. These courts also served as maintenance courts for blacks, and where there was no children's court, also as a children's court. There are also three types of divorce court for blacks (Suid-Afrika, 1983:318 & 321). Since there are two highly different cultural groups in South Africa, it is apparently not a simple matter to connect the common-law and the customary law systems. There is some justification for this, however, especially in respect of the rural areas and the national states. The more people become urbanized and westernized, the weaker the rationale for separate systems, and a uniform system is justifiably sought.

3.4.4.2 Legislation on marriage and divorce

In this section the focus is on the Divorce Act 70 of 1979, as amended, the Matrimonial Property Act 88 of 1984, and the investigations into family courts and the marriages and customary unions of blacks, which are still *sub judice*.

- **Divorce legislation and the Divorce Act 70 of 1979**

An investigation by the South African Law Commission (Suid-Afrika, 1978:3-8) identified certain shortcomings in the existing divorce legislation, the most important of which was the principle of blame. The principle of blame gave rise to unnecessary strife and bitterness between parties and was in conflict with any possibility of reconciliation. From the viewpoint of family policy, every attempt should be made to bring about reconciliation. Should this be impossible, divorce is the only option, but it should take place with as little disruption as possible.

Another objection worth noting here is that divorce does not make adequate provision for the protection of children's interests. Children often become the victims of interplay between the parents, leading to serious disruption

and confusion in their young lives. The Law Commission recommended that the interests of the children should enjoy priority and proposed that the courts make no order regarding custody before a social report has been considered.

The Divorce Act 70 of 1979 was the result of the investigation. According to the Commission (Suid-Afrika, 1978:34) legal reform was aimed at prescribing realistic rules for dissolving marriages and at ensuring that a marriage was only dissolved if it had irretrievably broken down.

Theoretically the Act made provision for the most important requirements of divorce law. One should now ask how this law would be realized in practice. For an answer to this question, the findings of the Commission of Inquiry into the Structure and Functioning of the Courts (also known as the Hoexter Commission) (Suid-Afrika, 1983) should be considered. With special reference to the above topical articles, the Hoexter Commission (Suid-Afrika, 1983:421-423) found that in the overwhelming majority of uncontested divorces the question as to whether the marriage had irretrievably broken down and the investigation into the suitability of the provisions for minor or dependent children were dealt with superficially, which impaired the image of the administration of justice as well as that of marriage.

From these findings, it was evident that the law had not succeeded in attaining the goals that had been set. From the viewpoint of family policy it is unacceptable that divorces are handled in a superficial manner, with consequent difficulties concerning the custody of the children, the division of assets and maintenance. Social re-adjustment is made difficult for the parties concerned, and the underlying family problem is aggravated, which places even greater demands on the social services.

When the Matrimonial Property Act 88 of 1984, which is discussed next, was passed, important changes were made to property rights following marriage. In order to bring the Divorce Act of 1979 into line with this Act, sections of the Divorce Act were amended. The sections were intended to extend the principle underlying the accrual system in relevant cases to marriages contracted before the Matrimonial Property Act 88 of 1984 came into force.

This legislation is considered sophisticated and appropriate for a westernized society. It is, however, selective and does not allow for the situation of traditional rural groups; this aspect will receive attention at a later stage.

- **Matrimonial property law and legislation**

According to the SA Law Commission (Suid-Afrika, 1982:179) is would appear that the law does not make adequate provision for protecting the property interests of a woman married out of community of property and, in the case of a marriage in community of property, a woman does not appear to have sufficient say in the management of the common property.

The matrimonial property dispensation, in previous legislation, provided for two options, namely a marriage in community of property and a marriage out of community of property. As far as a marriage in community of property was concerned, on its dissolution a partner might receive less than half of the common estate, while the management of the common estate rested with the man by virtue of his marital power (Suid-Afrika, 1982:5). The wife is thus subject to the marital power of the husband, which places limitations on her juridical actions, a restriction for which there is no justification.

The Law Commission identified a number of shortcomings that need to be noted. Among other things, it was found that a stereotype marriage contract was generally used, which resulted in a complete division of goods. The commission (Suid-Afrika, 1982:22) came to the conclusion that the most important shortcoming in this system was that no provision had been made for a division of the assets that the partners had acquired jointly during the marriage. The earlier contribution of the wife in being housewife and mother was not considered a measurable contribution.

Another notable shortcoming was the marital power of the husband over the wife in a marriage in community of property. Apart from the husband's power as head of the family, the husband had power over the wife as a person as well as over her goods (Suid-Afrika, 1982:36). The Law Commission (Suid-Afrika, 1982:43) concluded that the Matrimonial Affairs Act 37 of 1953 did very little to improve the position of the wife married in community of property.

As far as blacks were concerned, their marriages were subject to the same rules of the matrimonial property law as the marriages of whites. The Black Administration Act 38 of 1927, however, had contained important divergent clauses - with respect mainly to customary marriages (Suid-Afrika, 1982:50). As a result of the special character of the marriages of blacks, the Law Commission is devoting a separate investigation into this matter, which will be discussed later.

With the passing of the Matrimonial Property Act 88 of 1984, an attempt was made, *inter alia*, to remove the above deficiencies, and this resulted in significant changes in the property-law dispensation in a marriage. One of the most important changes was the abolition of the marital power in marriages out of community of property and the introduction of the accrual system.

The Act kept pace with the changing position of the wife in society, taking into account marriage, the family and her role in the economic system. Changed values and changed social circumstances resulted in the legislators having to amend the law accordingly.

The Divorce Act 70 of 1979 was amended by section 36 to extend the accrual system to marriages contracted before this dispensation came into force.

This legislation is a good example of a situation in which particular deficiencies in the law have been identified. The existing matrimonial property dispensation had not kept up to date with social change and in more than one respect discriminated against the wife. As indicated, the Matrimonial Property Act 88 of 1984 largely succeeded in eliminating these shortcomings and putting a fairer dispensation into place.

- **The inquiry into the desirability of a family court, 1983**

Family disintegration and its results cannot always be dealt with by the conciliation and reconciliation systems in a community. Judging from the number of divorces, cases of default of maintenance, children declared in need of care, juvenile court cases and other, related types of cases, the legal component has a significant role to play as far as the married couple, the family or family members are concerned.

The report clearly states that it is not the family court's function to solve the problem of marriages that break up. The family court can contribute to more

effective judicial administration of divorce matters (Suid-Afrika, 1983:432). From the following statement the difference between the two systems becomes evident, while the relationship is also indicated:

> Die konsiliasie-komponent van die gesinshof is daarop ingestel om, waar moontlik, gesinsprobleme sonder verhoor op te los. Die hof-komponent tree eers in werking wanneer die partye in samewerking met die konsiliasie-komponent nie daarin geslaag het om 'n besondere gesinsprobleem op te los nie (Suid-Afrika, 1983:433).
>
> [The conciliation component of the family court is there to resolve family problems without a trial, where possible. The court component only comes into play when the parties, in co-operation with the conciliation component, have not succeeded in resolving a particular family problem.] (Author's translation)

One could argue that in family policy the conciliation component should closely link up with the legal component and that each has an individual function that cannot be taken over by the other. Although this investigation is *sub judice*, certain deficiencies have been identified and proposals have been made to serve as guidelines for family policy.

A Bill providing for the introduction of a family court has been tabled in Parliament and has been referred to a joint committee that is currently considering the matter (Suid-Afrika, 1986b:71).

The legal system cannot prevent or combat the disintegration of family life. When other professions, such as social work, do not succeed in combating the disintegration of family life by means of preventive and therapeutic measures, one should turn to the legal system. From the point of view of family policy, a spectrum of services, from preventive to statutory, needs to be provided.

- **The Investigation into Marriages and Customary Unions between Black Persons, 1986**

Against the background of this inquiry, a question that needs to be answered concerns the influence of reforms in marriage legislation on family policy and consequently on the family. According to the Law Commission (Suid-Afrika,

1986b:34) a customary marriage creates a new family unit, with the husband at its head. He determines where the family dwelling will be and he is responsible for the social and economic welfare of his family. The man therefore has a strong paternalistic power base in the family, with the wife in a strictly subordinate position. According to the Commission (Suid-Afrika, 1986b:209), very few people who have commented are opposed to the legalization of customary marriages.

From a Western viewpoint, this is discrimination against the wife. Despite its negative consequences for the wife, most of those who commented expressed themselves in favour of the recognition of customary marriage as being valid (Suid-Afrika, 1986b:209). The traditional nature of this bond therefore still holds great significance.

This measure clearly has a negative influence on the family, and the black woman in particular, both politically and administratively. It has been noted that black women have experienced problems in obtaining loans from building societies for leasehold rights, a question that has since been corrected (Suid-Afrika, 1986b:6). The fact that customary marriages are not recognized also causes other problems, including the acquisition of any kind of housing. The main reasons for the contracting of a common-law marriage are, according to the Law Commission (Suid-Afrika, 1986b:170), to gain legality and recognition of one's marital state. Respondents are therefore obliged to enter a common-law marriage to acquire a house in an urban area where there are greater opportunities for employment. Political measures and restrictions have evidently led to a change in the marital patterns of the black community, as well as to westernization.

- **Summary of legislation on marriage and divorce**

Within a relatively short time, marriage and divorce laws have undergone dramatic changes. The process of legal reform has not been completed, and the inquiries into the family court and black marriages could undergo further adjustments.

The two laws that have been discussed, namely the Divorce Act 70 of 1979 and the Marital Property Act 88 of 1984, as well as the two inquiries mentioned, are interdependent and complementary. Considerable success has been achieved in adjusting the laws to changing circumstances, for example by

removing the principle of guilt, the recognition of the woman as an equal partner in the marriage, and options as to the type of marriage that can be contracted.

3.4.5 Social welfare legislation and the Child Care Act 74 of 1983

The most important legislation during this period in respect to social welfare was the Child Care Act 74 of 1983. Of special importance are the clauses relating to the malfunctioning family. The objectives of the Act are described as follows:

> To provide for the establishment of a child care advisory board; for the establishment of children's courts and the appointment of commissioners of child welfare; for the protection and welfare of certain children; and for contribution by certain persons towards the maintenance of certain children ...

The Child Care Act of 1983 provides for a shift in emphasis from the child to the parent, which is considered desirable since the parent is primarily responsible for the care of the child.

Since the Act was only implemented at the end of this period, no opinion on its implementation can be expressed.

One could ask whether the Act makes provision for the whole spectrum of categories of neglect in a diverse and heterogeneous society. Differentiation is necessary, particularly where a large proportion of the population's children is in need of care in terms of the Act. Should the Act be applied consistently, it is doubtful whether the country would have the required facilities, funds and accommodation for the children, in terms of the provisions of the Act.

From a family viewpoint the Child Care Act of 1983 is an important aid in the case of a family in need. Where disintegration of family life is a source of concern, the structures established by the Act, such as the child-care advisory council, can make an important contribution to a general improvement in family life.

3.4.6 Social security

3.4.6.1 Welfare allowances

During the previous periods, welfare allowances (public assistance) were discussed where they accompanied changes in policy. Over the years the nature of the allowances has not changed much. For the sake of completeness, allowances paid during the transition period will be discussed. The figures obtained are those for November 1987. Table 1 reflects the number of recipients of the particular allowances (Suid-Afrika, 1987:2-5).

Table 1. Beneficiaries of welfare allowances, November 1987

Type of payment	White	Indian	Coloured	Black*
Family allowances	49 (phased out)			
Maintenance allowances	18 117	15 730	50 601	10 628
Foster-child allowances	5 318	1 815	11 857	2 449

* Excludes Transkei, Bophuthatswana, Venda, Ciskei and the self-governing areas.

Judging from the *pro rata* differences in the number of beneficiaries among the different groups, it is apparent that the criteria for allocation differ from group to group. For the black group, in particular, there is much stricter selection. As far as the tariffs are concerned, the maintenance allowance (at the time of writing) differs between whites, Indians and coloureds by R56,00 and between whites and blacks by R101,00. Foster-child allowances exhibit similar differences.

Although the government has accepted the principle of parity and attempts, every year, to reduce the differences, the treasury does not have the means to eliminate the differences at an early stage. The backlog caused by the application of selective criteria has become so large that it is practically ineradicable. Family allowances have been phased out. A discriminatory measure that has enjoyed

limited support over the years has thus been eliminated. As far as family policy was concerned this measure met a limited need.

3.4.6.2 Housing as an element of family policy

Another aspect of social security, namely housing, has undergone dramatic changes since the previous period. In the apartheid era housing provision was an important political function undertaken by the ruling group. In the transition period housing remains within the political arena, but significant changes have taken place, which should be noted. The government's changed thinking about the black community, such as the recognition of the permanence of black people in urban areas and the granting of property rights, has led to adjustments in housing policy.

After the abolition of influx control urbanization could increase rapidly, which will further increase the need for family housing. Urbanization and the housing policy are variables that affect family life.

The greater realism that the state is displaying about housing is evident from various pronouncements. During a seminar on housing (Institute for Housing of Southern Africa, 1986:17) it was declared that urbanization was now generally accepted by the authorities as an integral part of the country's development process. It is an economic force directed at raising the level of wellbeing of an ever increasing part of the population. During the seminar, the Minister of Constitutional Development and Planning said that the increase in the urban population would place great demands on the country to make available adequate land, housing and other primary urban services, which should be included within the broader housing context.

Boya (Institute for Housing of Southern Africa, 1986:21) pointed out that in New Crossroads houses were built that were too expensive for the low-income group. He pleaded for the provision of various options, such as site-and-service schemes, core housing and the upgrading of informal housing to meet different needs and circumstances. From the government's pronouncements about housing it is evident that these needs are indeed being accommodated. On the subject of housing, in the White Paper on Urbanization (Suid-Afrika, 1986a:37) the government has stated that

> Die Regering aanvaar as beginsel dat behuisingsvoorsiening die verantwoordelikheid is van die individu, die werkgewer, die ander sektore van die privaat sektor en by absolute uitsondering die owerheidsektor ten opsigte van die minderbevoorregtes, maar met inagneming van gepaste standaarde.
>
> [The government accepts the principle that the provision of housing is the responsibility of the individual, the employer, the other sectors of the private sector and, in absolutely exceptional circumstances, the authorities with regard to the disadvantaged - but with due regard for appropriate standards.] (Author's translation)

There is a plea for community involvement in housing matters, while community development, such as self-build schemes, should be applied to the provision of housing. The following objectives are also accepted as policy:

- The promotion of property law and the ownership of one's own home for members of all communities.
- The provision of different forms of home-ownership.
- The application of realistic standards.
- The design and application of cheaper and more effective building methods.
- The formulation of programmes to eliminate the backlog in housing.

The provision of housing is apparently still linked to the policy of separate development. The preservation of the Group Areas Act 41 of 1950, one of the pillars of apartheid in the previous era, still has a far-reaching effect on family housing. In terms of the limitations of the Act, suitable land for housing is not readily available for the black group, which is a matter that in time can lead to greater conflict between the groups.

Housing measures cannot be applied in isolation. Supportive measures in which the interests of the groups concerned are accommodated are required, especially in the social and economic spheres. From the pronouncements on policy it appears that, in planning, provision is being made primarily for the core family. In urban areas, in particular, no provision is yet being made for the extended family.

3.4.7 Family policy matters of general interest

Two programmes covering the entire spectrum of family policy, which are of direct importance for a study on family policy, are the proposed national family programme and the HSRC Co-operative Programme for Marital and Family Life (this name has since been changed to the Co-operative Research Programme on Marriage and Family Life). The research programme and the proposed family programme are complementary. Although the latter programme has not been finalized (at the time of writing), it contains viewpoints that are basic to the formulation of family policy, and which should be noted.

3.4.7.1 The proposed national family programme, 1985

A comprehensive family programme has been proposed by the task group. Should it be adopted by the policy makers, it could have a significant effect on family life. In the proposed programme provision is made for four main objectives that cover a much wider terrain than mere family life; these are the creation of a climate of community involvement; preparation for marital and family life; the promotion of high-quality marital and family life; and the handling of marital and family dysfunction and pathologies (Suid-Afrika, 1985:66-68). The report includes a wide spectrum of programmes, stretching from premarital programmes to marriage and family enrichment, and treatment of the disintegrating marriage and family. A multiprofessional approach is advocated.

A national advisory council for marriage and family life is recommended (Suid-Afrika, 1985:70-71). The proposed council would have, *inter alia*, an advisory and co-ordinating function and make provision for all population groups.

(The National Family Programme was approved by the Cabinet on 4 November 1987. A committee of the South African Welfare Council, the Committee for Marriage and Family Life, was commissioned with the implementation of the Family Programme.)

3.4.7.2 (HSRC) Co-operative Programme on Marriage and Family Life, 1986

The Co-operative Committee (Samewerkingskomitee, 1986:67-68) identified a need for the creation of a structure to take responsibility for the execution, co-ordination and administration of a research programme on family life. The HSRC was advised to elevate this co-operative programme to a national research programme, which was in fact done. Placing this programme on a firm foundation laid a cornerstone for the development of family policy.

Further to the programme, the Co-operative Committee (Samewerkings-komitee, 1986:69) recommended that research into the black family should enjoy the highest priority, a recommendation that could have directional implications for family policy.

This research programme lays a foundation on which interest parties from the respective population groups can work together in the interests of family life in South African society. Problem areas negatively affecting family life, both internally and externally, can be analysed in a scientific manner and solutions found.

3.5 SUMMARY

3.5.1 Background to policy

The previous era, that is, the apartheid era, extended over a period of 23 years. During this time family policy, like other policies, was directed by the apartheid ideology. Policy laid down during this time cannot be reformed overnight. From the number of investigations with political implications that have already been dealt with in the transition period, and the investigations that are *sub judice*, it appears that an accelerated process of policy adjustment is underway.

Policy change should be judged against the sociopolitical and socio-economic background of this time. Based on the principle of ethnicity, a parliamentary and administrative system of general and "own" affairs has been developed. At the end of this period a dispensation to accommodate the black group politically is being sought. Such a system would perpetuate the previous policies of segregation, apartheid and separate development, but with definite and far-reaching shifts in emphasis.

The family life of the ruling group for the greater part manifests "Western" phenomena, such as a high divorce rate, illegitimacy, family violence and child neglect. The family life of the subordinate class, especially in the rural areas and in the early stages of urbanization, suffers from a lack of basic necessities and members of this class have to deal with inadequate housing and everything associated with it. The family life of the latter group is also largely subject to political restrictions. Further phenomena that have an effect on family life are the increasing numbers of women entering the open labour market, changing family roles and an increase in single parenthood. If these phenomena are not dealt with by the parties concerned in terms of informed policy, family life may be negatively affected.

3.5.2 Policy makers' attitudes to the family

Conclusions about the attitude of the policy makers to families can be drawn from legislation and other pronouncements. In terms of existing legislation, a marriage is a contract between a man and wife in which both parties have judicial and economic equality and where a choice of matrimonial property options can be exercised. Customary law marriages do not enjoy the same recognition as these common-law marriages. To date, the matrimonial property options do not apply to the former type. The accepted form of marriage for a large proportion of the population is therefore not placed on an equal footing with common-law marriage.

As far as the family is concerned, policy should allow for the accepted family configurations in a society. From a white, Western perspective the core family remains the ideal, but this does not allow for other family configurations such as the extended family and the single-parent family, which is a relatively new phenomenon. As far as the policy makers are concerned, the core family is by definition the accepted norm but, like the migrant labour system, it is not consistently applied. The extended family and other family configurations, excluding the core family, are not recognized as far as certain policies are concerned, such as the housing policy. In practice there is no concept of the family that prevails. The policy makers do not make provision for all the generally accepted marital and family configurations. This situation leads to unnecessary restrictions on these unions, marriages and family types.

Since South Africa does not have an explicit overall family policy, family policy is considered to be a combination of diverse policies, in terms of the definition of family policy.

3.5.3 Policy principles

During the previous period a number of policy principles were identified that were based mainly on the apartheid ideology. Further to this, the ruling group adopted a modified policy based on the principle of "own" and "general" affairs, which in a sense was a continuation of the apartheid principle.

Other principles were the following:

- Common-law marriages were fully recognized, as against limited recognition of customary-law marriages.
- The core family was generally recognized, while for official purposes the extended and single-parent families received partial recognition.
- Matrimonial property law protected the property interests of the wife, and the judicial and economic equality of spouses was promoted.
- During divorce actions the components of legal action and reconciliation were expected to work closely together.
- Housing provision was now the responsibility of the individual, the family, the employer, the private sector and the authorities - in other words, there was a departure from the principle that had prevailed in the previous period.

3.5.4 Policy measures

Policy measures emerge from the following:

Legislation on marriage and matrimonial property, to determine the judicial and economic status of the parties concerned.

The most recent reform measures have eliminated many discriminatory practices, but as far as traditional marriages are concerned, there are still discriminatory clauses that are not defensible.

Social security measures, including welfare allowances and housing. Although allowances are made to members of all the groups, the qualifying criteria differ from group to group and the backlog in amounts paid to the subordinate group has not been eliminated. The provision of housing has become more flexible and various measures have been instituted to wipe out the backlog.

Measures to prepare individuals for marriage and family life. Enrichment and therapeutic programmes involving welfare organizations, churches, schools and other bodies have been instituted; many of these services heavily subsidized by the policy makers.

3.5.5 Policy structures

The policy imposed by the structures of power has, as an independent variable, contributed to changes in family life. In summary, these political structures are as follows:

In the Republic of South Africa there are independent administrations for whites, coloureds and Indians, each with a separate department and a say in its own affairs. Matters involving the black community fall under "general affairs" and members of this community have only a limited say on local level.

The South African Welfare Council and the regional welfare boards have continued basically unchanged, and they make a limited contribution to family life.

The child-care advisory board, which provides for all of the groups, has been statutorily created but not yet instituted.

CHAPTER 4: CONCLUDING OVERVIEW

In the concluding overview the focus is on social change and its influence on families and family policy. Attention is also given to the family and family policy, and the most important findings arrived at are discussed.

4.1 SOCIAL CHANGE AND ITS INFLUENCE ON FAMILIES AND FAMILY POLICY

During the course of this century, South Africa has gone through various phases of sociopolitical and socio-economic change, as indicated in the foregoing chapters. Its history has been characterized throughout by a fluctuating relationship of conflict between the ruling class and the subordinate group. During the first decades the open conflict between Britain as a colonial power and, principally, the Afrikaners, gave direction to the future sociopolitical dispensation in South Africa. Although, at times, there was also conflict with the black group, within the colonial context it had a minor effect on the sociopolitical dispensation. New ethnic groups developed, with the whites as the ruling class and the black groups as the subordinate class.

With the rise in black nationalism, and as a result of increasing urbanization and industrialization, the clashes of interests assumed greater importance. At first the socio-economic lifestyle of the traditional population differed greatly from that of the urbanized and westernized population. As a result of, *inter alia*, the greater mobility between rural and urban areas, the points of contact between the groups increased, and the differences, especially on the socio-economic terrain, diminished.

From 1910 to the present day (time of writing), separateness, in some or other form, has underpinned national policy; this has led to differential policies, including family policies. Although the ruling class is committed to reform, the reform initiatives at the end of the present era have seemingly not fully filtered through to family and community life. The abolition of influx control has made it easier for families in the subordinate group to migrate as families, but at the same time inadequate physical room and the lack of opportunities for employment in urban areas have inhibited orderly family settlement. The results of resettling

families far from the labour market during the apartheid era can hardly be nullified. Distances and travelling time place an additional economic burden on the family and family life. As far as family policy is concerned, it is approached mainly from a sophisticated Western viewpoint, as can be seen in the legislation of marriage, divorce, and child care. Provision has not been made for the whole spectrum of needs.

From 1983 the country has been at the centre of a period characterized by continuing sociopolitical change and associated deficiencies; it is difficult to draw conclusions about this period, and many of the findings will be of a tentative nature. For these reasons this period is looked upon as a transitional phase.

4.2 POLICY PRONOUNCEMENTS ON THE FAMILY AND FAMILY POLICY IN PRACTICE

Both statements of policy and actions reflect the viewpoints of the ruling group on certain matters, and these could direct future policy. Judging from practice, it is evident that the implementation of policy is sometimes very different from the pronouncements. During the four periods discussed political and family pronouncements have been made that typified the policy makers' view of the family. The most important pronouncements and actions, as implemented in practice, will now be discussed.

(1) During the 1934 National Congress, the Minister of Labour announced the creation of circumstances making it possible for every breadwinner to earn an honourable living and assure his children of a decent, healthy education. This pronouncement, considered an important policy statement, was however not realized in practice. Whites were the main beneficiaries of measures arising from this pronouncement, as opposed to the subordinate group who also experienced poverty, but for whom similar measures were lacking.

(2) During the Great Depression the ruling group tried on the one hand to release the reserves from the grip of the tribal system through economic upliftment. On the other hand the traditional system of mutual caring was expected to provide for the child in need of care, and this was given as the reason for not paying allowances.

(3) The passing of the Children's Act of 1937 emphasized the protection of children's interests. The Act was drawn up from a Western perspective, and applied to all groups without taking into account the problems and needs of children and families in the traditional rural areas. Although the unity of the family was stressed, the needy black child had to depend on the tribal system, in terms of the family policy that prevailed for the black community. The duality of family policy was thus accentuated.

(4) Suitable housing, as the basis of all upliftment efforts and a healthy family life, was emphasized by the ruling group as a fundamental principle. According to official pronouncements made in 1932, obstacles were deliberately placed in the way of black women and children to prevent them from settling in the cities. Urban housing for blacks did not comply with the stated principle.

(5) Just as during the Great Depression, during the war and postwar years the policy makers made positive statements about the family. The Department of Social Welfare stressed the place of the family in the formation of human relationships. In contrast with this policy statement from the welfare terrain, restrictions were placed by the politicians on the movements of black families, which frustrated the application of the above pronouncement.

(6) A family allowance was instituted in 1947 to afford the child from a disadvantaged family the best opportunities possible. The scheme was directed primarily at the Western core family, and did not make provision for the traditional extended family with similar needs. As an alternative, the needy black child was dependent on the tribal system for care; this system might have offered a solution in the rural areas, but it did not allow for the urban situation with its poverty, and it was hardly suitable for the black child in the city.

(7) In the area of welfare, the importance of suitable housing in combating sociopathological phenomena was again stressed in 1950. In the thirties and forties the government matched its words with action, and introduced several housing schemes. The Department of Social Welfare even ran a rural rehabilitation and housing scheme for poor whites. On the other hand, during the apartheid era in particular, political restrictions were placed on blacks providing their own houses in urban areas.

(8) At the beginning of the apartheid era in 1950 Verwoerd made a statement about apartheid in which the policy of separateness was defended. This principle

was applied by the ruling group throughout the sociopolitical and socio-economic spheres. Rather than avoiding conflict, this policy contributed to conflict because of the paternalistic way in which it was applied. This principle was also applied to family policy where the black family was dependent on the homelands.

(9) Just as during the previous periods, the importance of family life was again emphasized in 1961, this time in the words of the Governor-General. He appealed for a joining of forces in the salvation of homes that were breaking up. This approach was, however, not applied consistently towards the subordinate group by the ruling group.

(10) In contrast to the pronouncements during the era of apartheid, during the period of transition the permanence of black people in the RSA has been accepted by the ruling group, together with the associated implications. This point of departure has led to a relaxation of restrictive measures, although the principle of separateness is still upheld in many respects.

(11) In line with previous periods, the need for a healthy marital and family life was again emphasized in 1985. A national family programme was proposed by a governmental task group, with the aim of promoting the quality of family life in all spheres of life.

(12) Following the recognition of the permanency of the black group, the policy makers adopted a housing policy that was radically different from that of the previous era, with a greater emphasis on self-sufficiency. Restrictive measures, such as a lack of land and infrastructure, as well as the lowest income group's lack of funds, has prevented the policy from being fully implemented.

From the above pronouncements made over four identified periods, the importance of the family appears to have been emphasized by the policy makers of each period. During the first three periods, especially, the white Western norm was considered exemplary, but other norms that prevailed in the family lives of the subordinate groups were seldom spelled out. A change in the thinking of the policy makers about the black group was observed in the transition period; this change is expected to filter through to family life as well.

4.3 FINDINGS DERIVED FROM THE RESEARCH PROJECT

In line with the format of the study, a distinction is made between the findings that relate to social change, the family and family policy.

4.3.1 General findings

(1) Because of the significance of the family in the education, care and socialization of the individual, and since these tasks are the responsibility of the state as well as the community and the family, the adoption of a national family policy is considered essential.

(2) A general finding in addition to the other findings is that social phenomena such as urbanization, industrialization and poverty lead to changes in family life and, in keeping with these, policies that in their turn bring changes to family life are formulated.

(3) Social and family policy is always subject to the political policy of a particular time. Certain legislation that has consequences for family policy can be reactive, such as the marital property and child care legislation, which was formulated to keep up with social change. Other legislation, especially on the economic and political fronts, is formulated without taking its implications for family life into account.

The following findings regarding change, the family and policy should be judged against this background.

4.3.2 Findings regarding social change and its implications for family life

(1) Changes on the sociopolitical terrain take place in an evolutionary fashion, with certain distinctive characteristics. The colonial phase was followed by phases in which the policies of segregation, apartheid and "own" and "general" affairs featured strongly. Throughout, the policy of separateness prevailed.

(2) Conflict lies largely at the root of social change in South African society. At the macrolevel during this century there has been a relationship of continuous conflict between the ruling and the subordinate classes. Sociopolitical and socio-economic domination and relative power led to resistance, which ranged from peaceful to violent. The family was at the centre of this conflict.

(3) Socio-economic change is characterized by the processes of urbanization, industrialization and westernization, which are continuous processes and in which all groups are involved. Where urbanization and concomitant change were the spontaneous result of particular push-pull factors, the urbanization of black people in so-called white areas was contained by coercive political and economic measures, with the result that a smaller percentage of the black group became urbanized, although urban settlements in the homelands were promoted. The family life of all groups is subject to a westernizing trend, more urban than rural.

(4) The whites have largely adapted to changing circumstances, such as overcoming the poverty question with the help of interest groups and the government. The subordinate group did not have access to the same type of interest groups as the whites, the same access to the ruling group or the same say in matters concerning improvement in their living conditions.

4.3.3 Findings regarding the family

(1) The viewpoint was adopted that, for purposes of policy, provision should be made for the recognition of the core family as the only form of the family. From the study it is clear that policy catered primarily for the core family. This view, especially as manifested in the housing policy, did not make provision in the urban areas for the extended or the large families which are common among the black and Indian groups, and this led to far-reaching changes in family structures. As far as the single-parent family is concerned, especially in the black community, restrictions were placed on the provision of housing and the movements of the single parent and the child.

(2) The importance of a healthy family life in some or other form has been emphasized by the policy makers during all four periods. In practice, many measures were applied that contrasted sharply with these pronouncements, such as the migrant labour system, with its emphasis on housing labourers in single quarters and the freezing of family housing in certain urban areas during the apartheid era.

(3) Although there are similarities, the family lives of the different groups manifest individual patterns of behaviour that become more blurred as urbanization and westernization increase. White family life has changed from a predominantly rural and patriarchal system to an urbanized family system in which both parents generally work outside the home and where the roles of the

various parties have changed dramatically. The number of single-parent families has sharply risen, generally as the result of divorce.

Black family life has traditionally been made subordinate to the tribal system and customary marriage. As urbanization and westernization have increased, family life has adjusted accordingly. Black family life as a result manifests a spectrum of family configurations that vary from the traditional to the core family. As a result of the close interaction and communication between rural and urban areas, the differences between rural and urban families are becoming smaller.

The family life of the coloured group is characterized by a significant number of *de facto* marriages that are recognized by a large part of the community. Many of these relationships are of a permanent nature and therefore fulfil the same role as a legal marriage.

The Indian group is characterized by the dominant role of tradition, culture and consequently the extended family, in the life of each individual and family. Despite a very high rate of urbanization, tradition and culture still play a decisive role in family and community life.

(4) The family life of all the groups is to a greater or lesser extent subject to disorganization and this is reflected in family breakdown, family poverty, family violence, the disintegration of family structures and an increase in divorce and illegitimacy. Despite the manifestations of family disorganization, the family is still largely adaptable to changing circumstances and the conclusion can be drawn that the family as an institution still plays an important role in the life of the individual, the community and society.

4.3.4 Findings regarding family policy

(1) Despite many pronouncements by the policy makers on the importance of marriage and the family during the period concerned, one can conclude that political and economic policy in particular have been determined without their implications for family life being taken into account, such as the effects of influx control, migrant labour, the freezing of family housing, and transport and labour regulations. Housing policy, which is considered to be family policy, was applied as a political measure in the apartheid era, with the family's interests being secondary.

The family came under crossfire between the different policy makers, without any particular body taking the lead or becoming recognized as the spokesperson for the interests of the family.

(2) South Africa does not have an explicit national family policy. Family policy is the package of policies, regulations and programmes that have primary relevance to aspects of marriage and family life, including marital and divorce law, child and family care, social security such as allowances and housing, family planning and health care. All these and other components of family policy are related to other service areas, but they have so much in common with marriage and the family as institutions that they can collectively be defined as family policy. There is a need for overall family policy guidelines founded on informed principles, objectives and their relevance to the family. Family policy guidelines should not merely underpin explicit family policy, but they should also be used as a yardstick in the determination of implicit policy which can affect family life.

(3) In keeping with the viewpoint that different family configurations are recognized in family policy, policy measures should also serve the interests of single-parent and extended families. As far as the single-parent family is concerned, social security such as income preservation and housing are of special significance.

(4) One comes to the conclusion that, together with the policy of separateness that covers the period of this study, a dualistic family policy was developed in South Africa, one for the ruling class and one for the subordinate class, especially the black group, with the coloureds and Indians in between. The policy for the ruling group was sophisticated and founded on Western values. For the black group, especially during the first three periods covered by this study, family policy was founded on the principle that black families, especially the women and children, were better off in the homelands. There was greater freedom in those areas with regard to certain elements of family policy such as traditional marriages and family customs and housing. In urban areas the black families were subjected to greater restrictions than other families and family policies were developed for them from the perspectives of modernization and the ruling group. In South Africa, where the population varies between traditional-rural and Western-urban, there is a need for a policy that provides for the whole spectrum of circumstances and needs, which is planned and applied jointly with all the interested parties, and which leaves the family with a choice as to where it fits into the spectrum. The various groups' religious, cultural and traditional values, such as those concerning marital and family customs, should be taken into account.

(5) All the areas of service to families should be brought together in an integrated and co-ordinated way, beginning with marriage and divorce legislation, the legal system and the system of reconciliation, social welfare, social security (including allowances and family housing), and other areas such as family planning and community nursing.

(6) The subordinate group has had little say in the decision-making processes that have affected their own interests. Institutions that could take up the interests of the subordinate group at the various decision-making levels have been largely absent. The family policy that has been developed has not necessarily served the interests of the family life of the subordinate group.

(7) Against the background of the above findings, it is evident that the special needs of the subordinate group were not always the basis of the formulation of policy or the passing of measures that provided for their circumstances. In support of this statement the following facts are cited:

- Customary marriages were subordinate to common-law marriages. It was only during the transitional phase that an investigation was launched to include the traditional marriage as a legal option.

- Child-care legislation was developed to address the needs of a sophisticated Western society, but it was made applicable to the traditional groups as well. Even the Child Care Act of 1983 did not address the family problems that accompanied family disintegration in the black community and community poverty.

- Housing policy had for decades determined that housing according to minimum Western standards should be provided for the dependent groups. Because of political considerations a large backlog developed, with negative consequences for the family, such as overcrowding. During the transition period a more flexible policy was accepted, but there were still obstacles such as a lack of adequate space for expansion.

- There was disparity in the social/welfare allowances and in their amounts. Although an allowance was available to all the groups, different criteria were apparently used in the allocation of these allowances, which were not always in keeping with community and family needs.